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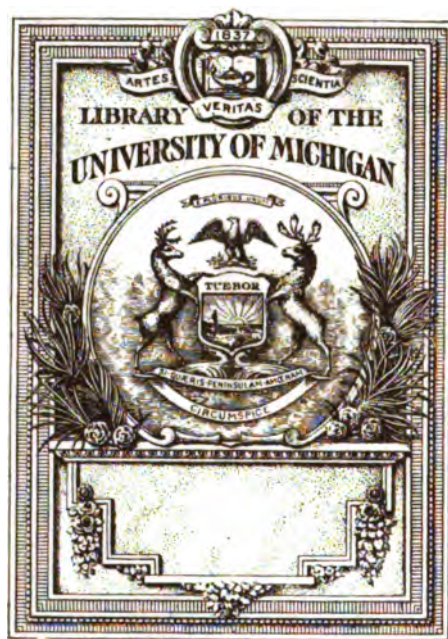
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# STABILIZING INDUSTRIAL EMPLOYMENT

REDUCING THE LABOR TURNOVER

## The Annals

VOLUME LXXI

MAY, 1917

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L. S. ROWE, President.

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## FOREWORD

Labor turnover refers to the hiring and firing of men. By excessive labor turnover is meant the excessive hiring and firing of employees. Speaking broadly, the average concern hires or fires as many people during the year as are on its payroll. This great flow of labor from shop to shop is a serious loss both to employer and employee. Estimates of the cost to the employer of securing, hiring and adjusting the new employee to an organization range from \$30 to \$500 per individual.

More than this, it makes difficult the formation of an *esprit de corps* in an organization, and makes almost impossible extensive participation by employees in management. The degenerative effects of excessive labor turnover on employees are too obvious to need mention.

The bettering of this condition will require the development of a "fourth arm" of industry, which will specialize in the scientific dealing with personnel as the production, sales and financial departments specialize in their respective fields. The methods of this science are not standardized. This volume is edited with the hope of contributing to the forward movement of this science by presenting a description of the work of some plants or individuals who have paid conspicuous attention to this subject.

I wish to acknowledge my indebtedness particularly to Mr. Boyd Fisher.

JOSEPH H. WILLITS, PH.D.,  
*Editor in Charge of Volume.*



## ADVANTAGES OF CENTRALIZED EMPLOYMENT<sup>1</sup>

By E. M. HOPKINS,

President, Dartmouth College, Hanover, N. H.

It is not my intention to speak of the advantages of centralized employment work as an untried thing, or even as a new departure. Progress has been so definite along this line that it is becoming the exceptional thing among conspicuously well-managed concerns to find those which have not established functionalized employment departments. There is not a city in the country in which there is not a considerable number of companies of the first importance which have accepted the principles of employment work as of fundamental importance.

### EVOLUTION OF CENTRALIZED EMPLOYMENT

The centralized employment department is the natural successor in the evolution of business from the methods which have been common in business since industry first began to assume its large importance in the world's affairs. In the very beginning labor-saving machinery came in. Somebody invented the loom and set it up in an English kitchen. Then someone figured that, if power could be found, a further advance in production would be made that would enormously increase economic wealth. At this point the centralization of labor-saving machinery became necessary, in order that the sources of power might be accessible. Thus we came to the factory. The first application of power to machinery was the water power; then came the invention of steam and a whole world of possibilities was opened up for the development of the factory system. The first factories were barns and sheds and old houses. Then someone, considerably later, decided that the machinery could be set up to greater advantage in a special building. So production came to the understanding of the importance of factory construction, from which time the study and development of this has been constant.

<sup>1</sup>Address delivered before the Philadelphia Association for the Discussion of Employment Problems, November 8, 1916.

Then, men began to see the advantage in arranging the machinery so as to facilitate routing in the processes of manufacturing. So, in the evolution, scientific management developed. Scientific management is not an arbitrary and machine-like way of doing things, as sometimes it is interpreted to be; but it is rather the recognition that there is one best way of doing each specific thing in the world, and that study and effort to discover that way is well worth while.

Thus through the evolution from labor-saving machinery, sources of power, factory design and scientific management, we come down to the latest factor in the development of the competitive method. At the present time there is nothing in particular that one intelligent concern can do over another equally intelligent in the securing of raw materials. There is nothing that one well-administered concern can do that gives it an advantage in policy over another concern equally well-managed. All can buy the same kinds of machinery if they know where to get it; or they can design the same kind. Processes cannot now be kept long entirely secret. Nothing is secure which rests on the assumption that the competitor cannot know how it is done. Thus it has come about that those who want to be put on a permanent basis of profit desire to establish a reputation for intelligent and considerate action which will make people want to stay with them. It is coming to be understood, in other words, that the opportunity for increased dividends and for advantage over competitive concerns, lies largely in the relationship which can be established with the men and women who make up the productive labor force. Thus it is that attention is being not only attracted to, but literally riveted upon, this great unsystematized and long entirely neglected field of problems of personnel.

The movement is under a headway that cannot be stopped; and some concerns who will not openly admit their interest in matters of this sort are in effect, though under different names, earnestly, even if unintelligently, seeking a basis of action which shall remove industrial unrest from their organizations. The one *greatest* problem in American industry at the present time is how to get, and how to keep, a labor supply which will do the work at hand in the best and the most profitable way.

## BACKWARDNESS OF AMERICA

We pride ourselves on our industrial progress in the United States, and we are wont to boast of the advantages of our methods over those of other countries. But yet, we have come very late to this problem. The success of Germany in carrying on the present war, in which she has shown such remarkable resourcefulness and such remarkable ability, is due no more to her efficient handling of men and arms than it is due to the fact that she has spent years in specializing on human relations in industry. Social adjustments had been worked out to greater scientific accuracy in Germany than in any other country. England's problem was how to apply the talents and potential ability of her men and women to the stern necessities facing her in problems of production, no less than in matters of military and naval policy. In America at the present time, amid all the shortages that exist, the one great overwhelming shortage is of men and women properly equipped to do the work which is available for this country to do, if only we can handle it.

Two years ago a manager of major rank in a great Philadelphia plant told me: "We are not interested in problems of personnel. We have a lot of work; but there are always more people to do it than there is work; and if those we have do not wish to work under our conditions, they can go, and we will go out and get others." Even so soon the folly of such a remark is apparent. The shoe is on the other foot. The work is available in quantities, but workers can hardly be secured at any wages.

No one knows exactly what will be the result on industry in America at the end of the war. It is a certainty, however, that one of two alternatives will have to be faced: either we are going into an era of unprecedented prosperity, and will continue to need, as we are coming to need now, people who are trained to our work, who are loyal to our organizations, and whom we can induce to remain steadily with us; or else we are going into an era of competition and price-cutting, when every element of risk must be eliminated, and when every element of waste must be guarded against, when manufacturers must come down to the basis of utilizing every advantage at hand.

A Chicago man said to me recently:

Up to a few weeks ago I insisted that there was nothing in centralized employment for us. But I came to the conviction that there was a true analogy in this to our purchasing department. Two years ago we put a man in charge of purchasing simply our printed forms; and I found a few weeks ago, upon investigation, that this centralized responsibility has saved us over \$35,000 in two years. Somehow, out of this I saw the argument for the employment office. If the removal of responsibility for printed forms from our department heads accomplished so much, what wouldn't happen if in like way we removed responsibility for the purchase of our labor?

#### ATTITUDE OF DEPARTMENT HEADS

Recognition has to be given to one thing in considering the establishment of such a department. For some reason the average man feels that his bailiwick is invaded unduly if in any way authority is taken away from him in regard either to the hiring or to the discharge of employes whose work he is directing. It is almost impossible to convince foremen or department managers that many men in their places who have held ideas like theirs have come to feel that they have been relieved of a burden of whose weight they had no idea while it was upon them. Many a man has come to feel relief at the opportunity to apply himself to the specific work in which he was skilled, as he never had the opportunity to do while held responsible for keeping up his own labor supply. Experience justifies the argument that a well set up employment department, tactfully managed and administratively endorsed, will vindicate itself to the worst skeptics, if it is but given time.

We must not lose sight of one matter, which is a weakness not yet corrected in modern theories of organization, using the term organization in its technical sense. The transition from the old-time unit type to the functional type of organization has brought in its train of major advantages certain weaknesses which remain to be corrected. There is always the tendency, in this newer form of organization, that goes inevitably with specialization, to narrow the range of solicitude on the part of the various executives of lesser rank and their respective subordinates, from concern for the company's interests as a whole to concern simply for the functionalized department. This is a natural outcome of the period when maximum emphasis had of necessity to be placed upon departmental boundaries in order to establish the system. But once established, the system requires that connection of one man with another



should be not simply by route of the charted lines of an organization sheet, but that all who have to do with the company's business should feel definite relationships with all others of the force, to an extent that each should have concern that all responsibilities of the company should be met in whatsoever functionalized department they might appear.

The one great weakness that the functionalized organization has failed to correct is a tendency to breed executives without antennae for the interests of respective organizations as wholes. It is, of course, a fault that can be corrected only slowly, and even then must be a matter of the spirit in which the worker is bred rather than the way in which organization should be outlined on printed charts.

It is all very difficult and hard to get at; but it is all tremendously involved in the question of how to create the new spirit of *esprit de corps* and coöperation, which successful industries will have to create. It is studies such as are involved in questions of this sort that become a vital part of the comprehensive work of a well designed employment office; and it is by such avenues that it can become of maximum usefulness to heads of concerns.

Another difficulty is the fact that in concerns where broad and intelligent policies prevail at the top, and where systems are installed looking to the betterment of the lower grade positions, there is such frequent failure to transmit the spirit behind these things beyond a small group at the top who know just what they are all about. Sometimes this group attempts to familiarize a somewhat larger group, subordinate to them, with the motives and the spirit behind proposed projects; but usually the scheme never gets down to the mass of productive workers in any form that carries conviction to their minds that there is a broad conception behind it. Therefore, not knowing what these things are all about, they become skeptical; and in this frame of mind the original good is so completely neutralized that there is little advantage to the company in having had the broad conception at the initiation of the plan. The point I am trying to make is, that too often there seems to be a complete insulation between the people at the top of the company and those at the bottom, due to the mental or spiritual inability of sub-managers and sub-foremen to transmit the spirit of men higher up to those lower down. It is here again that the

intelligently administered employment office can become of value entirely disproportionate to any cost involved in maintaining it.

#### RELATIVE IMPORTANCE OF EXECUTIVES AND WORKING FORCE

There is another fallacy to be overthrown, and that is the old-time autocratic and arbitrary theory that the subordinate productive worker exists to supplement the efforts of the executive over him. It is now coming to be recognized that executives exist rather to correlate and supplement the efforts of the productive force. One cannot argue this case as a whole without going into an immense amount of detail, but superficially it is true that the world's work would be far more completely done if all executives were to be wiped out of existence at one stroke than if all productive labor were to be.

If we are forced to accept the hypothesis of the complete elimination of one group or the other, I think that most of us would spare the executives before we would the productive force. Men in the highest positions, however, will concede this far more quickly than the foreman who has just been promoted from the ranks.

There is an assumption that needs to be guarded against in any consideration of the establishment of an employment department, namely, that employment is a term covering an occasional thing. The attitude has been too frequent that the whole problem was to get the man in, and that once in the system he is in a hopper and as the mill grinds he will be ground out either as wheat or chaff. Leaving the ethics of the matter entirely aside, we cannot as a matter of profits continue to have so much lost as chaff. It costs too much continually to feed the hopper. Having secured the force, there is financial advantage to a company in keeping it and in maintaining it under such conditions that the individuals composing it will be unwilling to leave. There is nothing visionary about this proposition. It comes down to the fundamental basis of the financial welfare of the concern.

#### SUPERVISION AFTER HIRING

This brings up the point of the function of the employment department after the labor force is engaged. The curse of industry in the past has been the impersonal nature of its administration. This is a very real danger at the present time in the development

of the theory of the employment department. This department, more than any other, cannot afford to become impersonal. It is, in my estimation, the danger of the whole tendency of the present day to judge by prescribed tests in regard to the retention or rejection of workers either on the job, or in regard to those being newly sought.

But having secured an individual to do our work, and having got him established on a basis satisfactory to the department into which he goes, what, then, is the realm of the employment department? There can be no question that the respective department heads must be the final judges in regard to the grade of work and the desirability of retention of the individual employee under them. They know the work to be done. However, I believe that it is a kindness to them, as well as to the people under them, that some department outside of theirs shall continually watch their policy and appraise it by outside standards in relation to its policies with the people working therein.

There is a factor involved in many a discharge which never comes to be known by the man who cuts the relationship between the company and the individual. If the people of our productive forces are going to work with enthusiasm and loyalty, they must have confidence that discharge is not coming to them because of conditions over which they have no control, and that a peremptory dismissal shall not come to them for temporary impairment of ability which has been preceded by faithful and painstaking work. There must be some avenue through which information can be secured as to the justice of the action of the man above, as well as to the basic reason for the fault of the man below. If it is discovered that a man has fallen off in his work, due to some temporary condition of such a nature as would have impaired the work of the highest executive as well as that of the lowest operative, the man down the line who receives the discharge is going to resent bitterly the lack of opportunity for him to bring out the extenuating circumstances, which he knows would be so plainly evident in the case of the man of higher rank. For some such reasons as these an employment department ought to have a definite right of access to individuals throughout the plant. It is hard to estimate what a brake on unreasonable discharge may be established by such a contact. Hardly a concern at the present time would think of making pay-

ment on its checks legal without a second signature; and yet industry goes on dealing with the lives of men and women on the basis of individual caprice on the part of its less intelligent executives.

The so-called welfare work, the rapidly increasing province of accident prevention and health preservation, and the policy of special training which we somewhat euphemistically call educational work, are all details of the general purpose which ought to lie under the establishment and maintenance of an employment department. Such a department should report to the head of the business. If it is not important enough to do this it ought not to be established.

#### POSITION IN THE ORGANIZATION

Such a department should be given the responsibility of securing the labor for the different departments of the plant; and the procedure should be established that men and women be secured through this department until it becomes evident that it cannot render value. In my estimation such a department does not need arbitrary power, but it does need a sympathy of understanding from those at the head of the business, and an endorsement which shall give it standing with those of lower rank. Such a department should be given access enough to all portions of the plant so that it may effectually act as a check on the non-comprehending department head who has no ability or intention to do anything except to exercise arrogantly such power as inheres in his position. The employment manager exists not so much to say that things shall be done or that they shall not be done, as he does to know what is taking place and the reason therefor.

Such a department cannot be defined as any specific thing in any specific concern, because it will differ so much in one from another. But the fundamental purpose will be much the same. It ought to be the first aid for getting the best people for the positions; and it ought to be the big brother of all the department heads in their effort to keep and train their men so that these shall be of greatest use to themselves, to the concerns involved, and to the community.

Is there some process available in your organization, by which those men who are worthy can be given an opportunity to work with

some security of tenure and have opportunities to make themselves of added value to the company? If so, the centralized employment department should find it. The successful industry of the future is going to be set against a social background in which a healthier status will exist not only for men's bodies but for men's minds. It is in developments such as these that the centralized employment department can be of vital advantage. And the advantage is not an intangible one, for it will be found to translate itself definitely and permanently into dollars and cents.

## HOW TO REDUCE LABOR TURNOVER

BY BOYD FISHER,

Vice-President, Detroit Executives' Club.

No one knows how much it costs to break in new men. The most conservative estimate of any authority is \$40 per man, but this, as well as every other estimate, is, after all, only an estimate. No one has yet used an exact cost system for recording the waste of unnecessary hiring and firing. I myself prepared such a system and submitted it to the employment managers' division of the Executives' Club last September. As yet no one has put it into effect, although several plants have promised to do so as soon as conditions warrant.

### THE GREAT COST OF LABOR TURNOVER

Aside from the rather careful estimates made by W. A. Gries and Magnus Alexander, we have only occasional flashes of evidence as to the great cost of labor turnover. One of the most startling evidences, which has come to my attention, may be gleaned from the report of a meeting of the production methods group of the Executives' Club on September 20, 1916.

Mr. J. T. B. Rheinfeldt, head of the manufacturing standards department of the Packard Motor Car Company, had explained the methods by which his department had rated the expected capacity of every machine and production center in that great plant. He gave out the information that the ideal capacity was 25 per cent higher than the expected capacity—that is, his company has 25 per cent more equipment than would be necessary to turn out the work, if it were not necessary to allow for delays, breakdowns and low-speed production.

I now quote from the minutes:

Mr. Beatty asked if the standard time allowed to the men were included in the 25 per cent allowance or not.

Mr. Rheinfeldt said that whenever a method was changed, a new time study was made. The allowance of 25 per cent was a blanket to cover shortages, absence, keeping the machine going, repair, etc.

Mr. Fisher asked how much of the 25 per cent was due to the turnover of labor

—that is, if there was no absence to be contended with, how much this 25 per cent could be reduced.

Mr. Rheinfeldt said that if the labor turnover were zero, the factor could be eliminated entirely, as the allowance on the time study would care for the repairs, breakage of tools and machines, etc.

Think of this for a moment. The physical equipment of the Packard Motor Car Company is worth, in round figures, \$9,000,000. If the turnover of labor were reduced to zero, this huge investment could, in Mr. Rheinfeldt's opinion, be reduced by \$1,800,000. The interest at 6 per cent on this amount of money is \$108,000 per annum.

Nor is this all. Is it not fair to assume that labor cost would also be reduced 25 per cent if there were no turnover? If so, out of 12,000 employes the wages of 2,400 men and supervisors, anything from a million and a half to two and a half million dollars a year, could be wiped out.

Now a word about the reliability of the above figures. They are not worth very much. In the first place, Mr. Rheinfeldt may have been in error in estimating his ideal capacity. He may have overstated the case, too, when he gave it as his opinion that a complete elimination of turnover would eliminate the 25 per cent extra capacity added to the standard time allowance. Furthermore, I have purposely avoided giving exact figures on equipment investment and on the wages of one-fifth of 12,000 employes. I do not want the figures on cost of turnover in the Packard plant to seem to be exact.

But I do want to enforce this point. The Packard employment department is one of the oldest and best conducted in Detroit. It has already effected vast savings in cost of turnover and yet the head of the standards department, the man who, with his assistants, sets all standard working times in the plant, estimates that new and inexperienced workmen reduce the speed of production so much that a 25 per cent allowance of equipment, buildings, direct labor and supervision must be made.

Figure what it would mean to your company annually to add 25 per cent to your cost to break in new men. Do you know that it doesn't? We have no true figures for cost of turnover as yet. Until we get them we must rest our case upon such indirect evidences as Mr. Rheinfeldt's startling estimate.

We can also gather other evidences of the cost of breaking in new men by a study of plants which have kept a steady force, and by comparing production records per man at the beginning and at the end of the periods during which the reduction of labor turnover took place. This, however, is not a very reliable guide, because a good part of the increased production might have come from the introduction of more scientific methods. It is significant, however, that every plant in Detroit that has reduced its turnover of labor in the last year has increased output per man. In some cases it has doubled.

#### REDUCTION OF TURNOVER IS PRACTICABLE

It is not necessary, in fact, to prove that losing men costs money. There is a very general agreement upon that point and there is also a pretty general agreement upon the possibility of ascribing to success in creating a stable force some of the increase in production which appears concurrently. Employment managers, I take it, desire not so much to be persuaded that it is worth while to discover methods of reducing the needless exchange of employes as to have proof that they can keep men on the job by definite methods which have succeeded in other plants.

I have some very interesting figures on the reduction of turnover in Detroit plants during the last year, or thereabouts. Labor conditions during this time have been very disheartening, and, in all firms where employment departments have been established for a long time, the exchange of employes, in spite of intelligent work, has increased during the last year. This is a very interesting fact when taken in conjunction with another distinct and contrasting fact; namely, that in all plants that have installed employment departments within the last year or more, the turnover of labor has generally declined during this bad year.

Take the Saxon Motor Car Company, for instance. Its employment department has been in full running order only a little over a year and in the first year of its operation it has reduced labor turnover 140 per cent. This figure is obtained by subtracting the turnover figures at the end of the year from the turnover figures at the beginning. The employment manager of this company predicts a 50 per cent further reduction during the coming year, which will be bringing it down pretty low.



Take, again, the Hayes Manufacturing Company, where the employment department was established in April, 1915. In the first year of operation turnover was cut practically in two. And then in the next four months, from April to August, the turnover was more than cut in two again and has been declining slightly ever since. This reduction was accompanied by a 30 per cent increase in output per man. Then there is the Timken-Detroit Axle Company where the labor department has been in operation for sixteen months and where foremen are given a bonus for what is known as "force maintenance efficiency." During these sixteen months, this efficiency has increased 20 per cent. I refrain from giving the figures upon which this percentage is based because the Timken Company does not desire to reveal the exact turnover data.

One of the most remarkable records I know of, with regard to reduction of turnover as the result of the installation of a complete labor department, is that of the Solvay Company of Detroit. The record is so good that I am going to take the risk of quoting the exact turnover figures. The Semet-Solvay (Coke) Company and the Solvay Process Company occupy adjoining factories on the same plot of land but maintain entirely separate managements. Up to the first of June, 1916, the Semet-Solvay Company had an employment department and the Solvay Process Company, on the other hand, permitted each foreman to hire his own men.

When it came to the attention of the management of the Solvay Process Company that they were having labor difficulties which did not appear in the Semet-Solvay, the employment manager in the Semet-Solvay was given entire charge of hiring and firing in both plants. The average turnover for the two plants during the month of May was 10 per cent. In the month of June, after the employment department had taken over the work of the Solvay Company also, the turnover of the two plants dropped to 8.3 per cent. In July it was 8 per cent; in August, 4.1 per cent; in September, 3.3 per cent; in October, 3 per cent; in November, 2.6 per cent; in December, 2.4 per cent. This is the most remarkable record of employment department efficiency that I know of anywhere and when you take into consideration the fact that the average turnover of labor in Detroit was jumping up by leaps and bounds at the same time that the Solvay companies were greatly reducing their turnover, it appears even more surprising.

I have just analyzed the turnover figures for the last year in fifty-seven Detroit plants, and find that they average a little over 252 per cent per plant. This is, of course, very high because labor conditions have been unprecedentedly bad. The figures, however, are not as high as they would be if they did not include the comparatively low averages of plants having employment departments, as well as plants which allow foremen to do their own hiring and firing. An analysis of plants having labor departments against those having no labor department shows that, roughly averaged, the plants having no employment department hired three men to every two hired by those which did have employment departments.

I do not attempt to give more exact figures because I am somewhat skeptical of the correctness of many of the reports which came to me; particularly from plants that have no regular employment department. I suspect that if we had entirely reliable figures from all plants, the record of those having no employment departments would show up even worse in comparison than they do.

#### A COMPLETE PLAN FOR REDUCING TURNOVER

It would be enlightening, if there were space, to take each individual case of labor turnover reduction and trace out the methods by which this was accomplished. In a fairly short presentation, however, it is preferable to outline a complete scheme for labor turnover reduction based upon the combined experiences of a number of plants having employment departments. I desire, therefore, to offer what appears to be a combination of all the approved remedies for what is sometimes known as the "mobility of labor." Obviously not all parts of the complete scheme can be applied to every plant. And good authorities may feel that some of the methods outlined have no business to be in the scheme at all for any plant.

Permit me at the start a doubtful generalization. A certain manager of a Detroit plant, which had a complete installation of scientific management and which was used as a model for study by all other Detroit plants, left to take over the management of an automobile company in another city. He found the new plant devoid of any semblance of scientific management, and yet for a whole year he did nothing to change the internal methods of this plant. He found upon analysis that 80 per cent of the cost of his product came in the purchase of products made in other plants. Therefore,

in order to reduce the cost of his product he found that he would have to spend most of his efforts in reducing the cost of the products made outside. So it is, I think, with labor turnover. I believe that we may safely say that 80 per cent of the cost of turnover of labor is due to causes that lie outside of direct plant activities; that is, when the workman is off duty.

Now the remarkable thing that is developing in employment work in Detroit is a disposition to tackle the whole job of reformation. Like the automobile manufacturer just referred to, our employers are striving to reduce the 80 per cent item of cost of inefficient labor where the expense is incurred; that is, outside of their own plants. They recognize that turnover of labor is a special phase of the problem of inefficient labor and that the reduction of turnover is only the first step in a process of education and of economic pressure to elevate the standards of workmen. They aim not only to keep workmen, but to develop them. And they are prepared to go as far, even, as the workmen's own home-life to solve their problem.

Much of the impetus to this thorough-going effort comes from Henry Ford. Employers sometimes feel that they have much to forgive in Henry Ford, but most of his fault lies in doing so many things first. One of these is the extension of factory influence into the whole life of the worker. All Detroit plants are beginning to follow him in this, and I honestly believe that they are profiting by his experience, and are taking the best and leaving the worst of his plan. Denied the credit of initiating the plan and free from the fear of precipitating any such startled inquiries as have beset Mr. Ford, they are able to proceed slowly, quietly and cautiously. The results so far have been good.

Miss Ida M. Tarbell came to Detroit prepared to revolt at un-American interference with the private concerns of workers as evidenced by the Ford procedure, and went away convinced in its favor. Of the Ford scheme she said to the Executives' Club, "I don't care what you call it—philanthropy, paternalism, autocracy—the results which are being obtained are worth all you can set against them, and the errors in the plan will provoke their own remedies."

#### THE RELATIONS BETWEEN TURNOVER, INEFFICIENCY AND VICE

So you will find in my scheme of labor turnover reduction a concrete statement—a bill of particulars, so to speak—of the phi-

losophy of the more progressive Detroit employers. Turnover breeds inefficiency. Inefficiency breeds turnover and the only way to break the vicious circle is to attack them, both at one time, and, for the most part, outside of direct factory activities.

The employment department in this view becomes the vestibule not alone to the factory, but to a better life. The employment supervisor becomes a copartner with the teacher, the minister, the social worker in the business of reforming men. It wasn't Billy Sunday, it was the employers of Michigan that put the state in the prohibition column. They wanted to remove the saloon on the route between home and the factory. For the sake of securing more efficient workmen, our employers and their personal representatives, the employment managers, are fighting for the elimination of vice and gambling through Mr. James Couzens, formerly vice-president of the Ford Company, and now police commissioner. They are fighting for better schools through Mr. Mumford of the Edison, and now president of the school board, and for better city government, more adequate housing, and better street car facilities through the disinterested public services of many busy manufacturers.

Nor do our social reforming employment managers confine themselves to dragnet measures of improvement. The scheme I have assembled is a routine of particular measures involving the doctrines of "from each manufacturer according to his ability" and "unto each workman according to his need." Nearly every measure outlined is actually in effect in some Detroit plant and all of them, based upon experience somewhere, are at least in project.

#### DIFFERENT REMEDIES FOR TURNOVER

Let us take up remedies for labor turnover and inefficiency under four main headings: *preliminary, fundamental, supplemental and provocative* remedies, and speak first of the provocative remedies.<sup>1</sup>

I believe in firing men as a final means of keeping men. We are in danger of getting too sentimental about turnover. We are too likely to regard every man lost as an unwholesome sign. There is a legitimate place yet for the "tin can" and when it is tied to man or beast, it ought to have something in it to make it rattle. But the condemnation that reverberates most noisily is the deliberate un-

<sup>1</sup>See outline of these remedies, pages 29-32.

favorable judgment of one's peers. I believe that every discharge should be certified to by a committee on which workmen are represented. This is my notion as yet, but Dodge Brothers go as far as providing a blue envelope committee, and no arbitrary individual judgment can effect a discharge. Slowness and cautious fairness in getting into action, however, only advertises the final result. When a man goes out of that plant, he isn't summarily kicked out, it is true, but it looks much more impressive to be shoved out slowly by a consensus.

Let us, by all means, have the trump card of discharge in our hand and then strive to win by playing off suit. If it is clearly understood by workmen that the patience of the management is the forbearance of strength and self-control, all our other methods of reducing turnover will gain in effectiveness.

Now, strictly speaking, what I have classed as preliminary measures: namely, a cost system and a record system for turnover, do nothing in themselves to retain a permanent working force. But, without them, the effective measures are not likely to be applied.

A true cost system is an urgent necessity. If it is true, as Mr. Magnus Alexander estimates, that it costs \$73.50 to break in a new semi-skilled operative and only \$8.50 to take on a new laborer, mere percentage figures for turnover mean very little. I will not go into details at this time but I submit that we should know how much each type of new worker costs, in terms of diminished production resulting and of the excess equipment investment needed, increased scrap incurred and increased supervision and education required. Managers may affect to believe that it costs \$400,000 a year to hire 10,000 men, but they won't spend even \$50,000 to save that sum until you prove incontrovertibly the actual expense of new men. The thorough-going remedies for turnover are so expensive that until even the most skeptical managers are convinced we shall not get far with our corrective measures.

As for a complete record system, little preachment is necessary. The aim should be twofold. The records should reveal graphically not only the extent but the causes of turnover, and they should reveal the parallelism between high turnover and low efficiency. The basis, of course, is an individual register for each man, so complete that all other reports can be drawn directly off of this. Aside from the usual historical facts, showing dates of employing or transferring,

the starting rates and changes of rates and date of leaving employ, together with original application and examination forms, this individual record should be a chronicle of the workman's progress, on such items as earnings and bonuses, defective work, absences and tardiness, his complaints and those charged against him, a periodic certification by foremen, and, when he leaves, his apparent or declared reasons for going.

The turnover should be analyzed at least monthly, and the record should show: (a) by weeks, months and years, how long quitters have been in the employ, in order to reveal the critical periods when men are most lightly attached to their jobs; (b) by departments, to show what foremen or class of work are most at fault, and (c) by reasons assigned, to show what conditions call for improvement. It should show, also, (d) what operations furnish the greatest mobility, so that, if a cost of new employes has been established for each operation, the monthly losses from turnover can be exactly computed.

Fundamental remedies for turnover differ from what I call supplemental only in relative importance. If you hire men wisely, provide them with steady work at an adequate wage, and refrain from hasty discharges, your turnover will be comparatively low.

The supplemental remedies are refinements designed rather to promote efficiency in the man you keep, than to furnish additional means of keeping them, and are likely, thus, to exercise an indirect influence in reducing turnover.

#### IMPORTANCE OF CARE IN HIRING MEN

It is almost begging the question to say, hire the right men for the jobs, because, obviously, the right man is the man whom you will like and who will like you. But there is room for so much development here that I know of almost no other remedy that will reach so far. When foremen hire, they grab the first man who shows up, and fire him when he doesn't make good. And a good many employment managers do almost the same thing. In part, this is due to the fact that they haven't the resources to write up exact specifications for all the jobs for which they employ; still more because none of us has thoroughly satisfactory tests of ability and character. But still more it is due to enforced haste in filling requisitions. Foremen, planning department men and managers do not

give the employment department enough notice of men needed. A list of men required for the year's predicated production should be just as much a part of the engineering department's specifications as the blue prints and the routing. It is certainly as easy to predict men required as to predict cost, for without the labor, how can the cost be estimated? And, yet, how many employment departments know two days ahead, even, the men they will be called upon to hire? I say, inform your employment manager as far ahead to supply new men as you inform your purchasing agent to supply material.

With advance information he can build up the right kind of application list. If your files list only men that have applied voluntarily, it will be as unsatisfactory as a list of sales prospects that you might secure without solicitors or advertising.

The best application file is really a prospect file, built up as the result of a census of the workers suited to your plant, in your whole city and particularly your vicinity. The Cole Motor Company of Indianapolis has just completed an inclusive industrial census. The Saxon Motor Company of Detroit tells me that the simple measure that did most to produce its remarkable turnover reductions was the practice of preferring men who live within walking distance of the plant.

With a knowledge of men to be hired, the employment manager can prepare specifications and forms of examination which will do much to eliminate men who would not make good if hired.

Physical examinations are, of course, a necessity in a good system, and they should be tied up with the measures for improving men once on the pay roll, by having the examiner indicate deficiencies to be corrected. But even examinations and such other precautions as visits to the homes of desired applicants, and a checking up of previous records of employment can only be resorted to if ample time for inquiry is secured.

#### INDUSTRIAL EDUCATION, ADVANCEMENT AND WAGES

There is not space in this paper to deal with the question of industrial education, but it should not be overlooked that one does not always need to go outside of his own plant to put on a new man. It is always cheaper to transfer from a less important position an employe who has been in training for a promotion. A work force can be more certainly toned up by educating apprentices and giving a

continuing and broadening education to operatives than by hiring brand new men by any system of careful selection whatever. The growing demands of industry far outrun the supply of skilled workers, and not only to contribute its share of trained people but even to obtain its share, a plant must coöperate in the general educational program.

Now one of the most basic remedies for turnover is the payment of an adequate wage, and this can be urged only upon plants that have taken pains before hiring to ascertain whether the applicant's home life and standards of living, as well as his mental and physical fitness, promise his being able to earn an adequate wage.

By an adequate, I don't mean merely a minimum wage. I mean a good fat wage—one that will clothe, nourish and educate his children as well as feed him up properly. The Visiting Housekeepers' Association of Detroit estimates that the lowest possible minimum income for a family of five is \$89.00 per month, and no family in Detroit is wise enough to know how to spend that sum well. Eleven plants in the Executives' Club have undertaken deliberately to see that every workman, taking each case individually, by investigation, is sufficiently supported. Some of them discover that for special reasons some families cannot live on \$100 per month. Any number of plants, such as Packard, Cadillac, Solvay and Hudson, not only make general studies of cost of living but particular inquiries, and where necessary, pay off at good discounts the debts of overburdened workers, allowing them to return payment periodically.

In my outline I have indicated a number of ways in which the modern factory management follows up the pay envelope by helping the worker to escape the shark, to purchase wisely, and to stretch the purchasing power of every dollar he earns. Many mutual aid associations and several legal aid bureaus have already been established, and many plants encourage thrift and assist in home building. We not only have seven or eight coöperative stores in process of establishment, but six of them are considering plans to purchase jointly through the Executives' Club. A report on eighty-three successful mutual aid societies has been compiled by Helen Bacon of the Executives' Club staff. It may be obtained for one dollar.

As for the remedy of steady work, you should note that it is just as important to keep piece workers continuously supplied with



work, so that they can earn their expected income, as it is to regularize work from season to season so as to keep a level force. In fact, it is sometimes kinder to men to lay them off outright than to try to keep them while they are earning partial wages. Employment managers cannot do much to regularize production from season to season and from day to day, because these things are largely matters of administrative policy and of factory system, but if they recognize and advertise the importance of these things, they will focus the attention of their superiors upon the necessary remedies.

When I say, finally, under the head of fundamental remedies, don't fire hastily, I mean to urge not only that you curb ill-tempered foremen and curb your own impatience, but I mean, especially, give yourself time to influence men through the slower-acting measures, referred to in this outline under "Supplemental Remedies." It would be of very little avail, either as a means of re-selecting or of disciplining men who had failed in one job, to transfer them from department to department, as the Ford Motor Company, for instance, does with so much patience, unless every day counted not only to give a man new hope but new instruction.

So, I say, start your new men right, promote physical efficiency, foster good habits, make your work an unfolding career, and a sufficient future, and all the time encourage self-expression, not only of complaints but of suggestions and of coöperative interest and activity.

#### OTHER WAYS TO START MEN PROPERLY

To start new men right means not alone to give them a pleasant and encouraging impression of their new work but also to complete the job of hiring them. A man is not really engaged for a job until he is engaged in it, and too often plants throw needless difficulties into a man's path between the time they agree to hire him and the time when he settles down to work. An agreement to employ, in the first place, is not completed until the new man is given a definite guarantee of his starting rate of pay. You cannot be sure of a man's doing anything but spoiling work for a day and wasting your time if you take him on first and then let the foreman settle his rate of pay afterward.

Give your man a definite starting wage, and, so far as possible, a reasonable assurance of the rates to which he will be advanced at

stated times if he makes certain standards of efficiency. Then, if he accepts your job, you can be more sure of him.

But it is just as important to help a man get over his stage fright in tackling a new job. Most men suffer acutely in contact with strange surroundings. Even experienced workers discover unexpected obstacles in new machines, and most new men will be found to have exaggerated somewhat their qualifications in order to be taken on. You, of course, have discounted their statements, but they go to work uneasy in the thought that they have "put something over" on you and are afraid of being found out. Add to this their awkwardness with fellow-workmen and bosses, both strange to them, and their lack of acquaintance with the plant and you get a frame of mind which makes their work of little value to you, and the job seem undesirable to them.

One of the things which stood out in my mind after reviewing the many excellent methods of the German American Button Company of Rochester was the considerate way this company has of introducing new employees. New people are asked to come at an appointed time later than the hour when work starts, and are introduced by a representative of the employment department to their fellow-workers and made acquainted with the rules, the conveniences and the special attractions of the plant. A fellow-worker is commissioned to take them to luncheon the first day, and special queries are answered. It is important to follow up this method of introduction and to have instructors keep an eye on the new worker till he brings his efficiency up to normal.

It may be, and usually is, necessary to help a worker out with money or meal tickets, or to guarantee his board till the first full pay day. All the workmen I have known individually have gone to new jobs "dead broke." Often they quit on some pretext, after working a few days, in order to draw pay to keep from going hungry. The Studebaker Corporation in Detroit is especially liberal with respect to meal tickets or pay advances to tide the new workman over. Much injustice is done new workers in keeping them on day rates after they have become proficient enough to be put on piece work. While I have not analyzed from this point of view the high turnover of labor which, I know, comes chiefly in the first few weeks of employment, I suggest that a comparison would show that turnover is highest at just the time when new workers should be put on

piece work and are not. I have followed the cases of workers for whom I secured jobs, and know that many cite this as a reason for quitting. Two plants I know of make special rates to beginners higher than the piece rates of experienced employes so that they can measure their progress from day to day and more speedily get on a profitable wage. This is a kind of minimum wage guarantee with the added value of an efficiency scale.

#### PROMOTING PHYSICAL EFFICIENCY

Assuming our workmen well hired and well started, the promotion of physical efficiency is a direct means of increasing production and of helping men to earn pay which will keep them on the job. There are so many things entering into this that it is a good thing, when the resources of the company warrant, to have a physical department as a branch of the employment division, with a high grade physician and several nurses in charge. There is not space in this paper to mention any of the many plants which do this. The last convention of the American Medical Association devoted a section to physicians in industrial practice, and there is now a national conference board on the subject. The physical department will generally conduct examinations of desired applicants for employment, but I prefer the more economical method of the Flint, Mich., Manufacturers' Association, of a central physical examination bureau for applicants. The general adoption of this plan would free the time of plant physicians, who would still be needed to conduct periodic examinations of all workers, as a basis for advice on better health. Such periodic examinations may be voluntary at the start, and perhaps 70 per cent of the employes will come forward. Later, say after the second or third time, it can be made compulsory. It will reveal surprisingly the causes of low production in many cases, and help to eradicate them. The physical department should supervise plant conditions from the point of view of health, and should have authority on the improvement of ventilation, heating and lighting, and the reduction of noise, dirt and noxious and unpleasant odors, as well as the sanitation of oils and waste, the purification of drinking water and the cleanliness of all public rooms.

The Joseph and Feiss Company in Cleveland and the German American Button Company in Rochester are among the plants which find it profitable to add a dentist and an oculist on part time

to care for the teeth and eyes of employees. Most workmen have bad teeth, with resulting indigestion and other degenerative diseases, and defective eyesight can injure workmen and slow up work before they lead to the danger of accidents.

The physical department, of course, has charge of the emergency hospital, and in this connection it is worth while to say that first-aid should be prompt, adequate and accessible, as it too frequently is not.

But much work should be done away from the plant. Physician and nurses should visit workmen kept home by sickness, that of their families as well as their own, so that they will not be allowed to neglect illness. Home visits help reduce absenteeism, but they are justified on their own account in promoting physical efficiency. Plant doctors making home visits will know how to avoid conflict with other physicians with whose work they may seem to interfere. There are other measures which do not come within the field of a physical department which are advisable, nevertheless, on the score of increasing a workman's efficiency. Such expedients are plant restaurants, shorter work-hours, plant athletics, rest periods during the day, and yearly vacations with pay.

If possible, a factory should arrange to maintain its own restaurant, which, if properly managed, can be self-supporting. It diminishes a workman's energy to eat, possibly at his machine, a cold lunch carried in a paper parcel from home.

#### SHORT WORK-HOURS AND REST PERIODS

Shorter work-hours, while diminishing output for the day, increase it for the period. On principle I favor the eight-hour day, or, at most, the fifty-hour week, and in some arduous or intensely monotonous tasks I favor an even shorter day.

An investigation which I made a year ago among plants having the short workday convinced me that where a worker is not limited in output by the nature of the process, he will do as much in forty-eight hours as sixty. Of course, to secure this result the plant must be organized to keep him continuously busy for eight hours, and an incentive wage payment system must induce full effort.

My prejudice in favor of the eight-hour day springs wholly from my belief that it is an economy for the well organized factory and a gain for the community. Where issues with unions arise over the

matter or where consideration for the interests of other manufacturers enter the question it may be advisable for a limited time to maintain longer hours on principle. There is always something to be said for the *status quo*, and where hours are to be shortened, the employer has a right to demand time for adjustment so as either to secure some increase in effort from the workmen or to pass on to the consumer the added expense assumed for community good.

Furthermore, I believe that for securing increase in physical efficiency it is preferable to distribute a part of the added leisure time through the workday in the form of rest periods. The Aluminum Castings Company of Detroit gives a five-minute rest period each half day. A company in Rochester allows one rest period of three to twelve minutes in every hour, according to the nature of the work. To secure conformity it shuts down the power and has recreation organized to utilize the time. There is as yet no dependable information on fatigue, in spite of certain German researches and the more recent studies of the British Association and the Munitions Ministry, but the experience of the army with regard to forced marches and the experiments made by Frederick W. Taylor long ago demonstrated measurable benefits from rest periods. Any manager may make a first test by observing the effect of rest periods in his stenographic department. A working principle is that the more repetitive the operation is, the shorter the cycle of time, the more frequent but briefer is the rest required. And, too, I should consider it advisable to make rest periods either longer or more frequent toward the close of the day.

A vacation is one kind of rest period in the above sense. Shop men need it, perhaps more than office workers, and should secure it on the same terms. It is advisable to tie the vacation plan up with the measures to reduce absenteeism by making the length of the vacation with pay vary with the number of weeks of satisfactory attendance. Strike fever is often vacation fever. Shrewd managers, if they had no more altruistic aim, might well plan vacations to promote industrial equanimity.

It is needless to elaborate on the benefits of athletics in relation to health. They are, if anything, more important as self-expression, which I shall mention later.

# DEVELOPMENT OF GOOD WORK HABITS AND OF SELF-EXPRESSION

A separate supplemental remedy for turnover is the development of good work habits. This relates particularly to punctuality and regularity. The man who is on time every day is least likely to quit work. His mental attitude becomes fixed in a feeling of responsibility toward his work. But the worker who becomes casual with regard to attendance has taken the first step toward total delinquency. You have only to picture the subconscious mental processes of a man who remains away from work one day needlessly, to appreciate the subtle change of attitude he bears toward his job. To foster good habits, we enumerate such measures as prompt investigation of causes of unexcused absence, strict penalties for tardiness, bonus for regular attendance (one Detroit company for instance paying twenty-five cents a day extra for a month's perfect record) and the establishment of a pay system such as piece work, premium or bonus, which encourages and rewards accuracy, high output and punctuality.

All other remedies for turnover are likely to be chiefly negative or counteractive unless the management encourages self-expression. First, hear complaints. No matter how unwisely or unfairly objections are presented, give men every chance to "knock." Let them come individually by preference. But even if you deprecate grievance committees, never refuse to hear a committee once appointed. Some men satisfy complaints by being allowed to air them, just as some old people desire not so much to be cured of ailments as to have ailments to describe.

It is better, however, to pick up complaints before they become grievances—while they may be still an expression of some form of idealism—and to deal with disquieting aspirations before they become programs. For this purpose shop meetings called by managers, and scheduled to discuss pleasant and hopeful enterprises as well as difficulties, preserve good feeling. Likewise parliamentary leaders who head off taking a vote until the majority will fall their way, or who sense out a needed compromise or recession before it is exacted, a good manager can employ a shop meeting either to approve his suggestions or to applaud his discernment.

But self-expression goes beyond this. It may be interest in work evoked by a suggestion system. If you make it an invariable

practice to acknowledge in writing every proposal in writing, you have a suggestion system. Boxes to receive letters, and prizes, commendation and promotions to reward them, are mere refinements. Then there is the still more exuberant and satisfying form of self-expression which appears in social, athletic and coöperative organization. We are all nearly as ambitious for communal as for financial rewards. You cannot bring five hundred people together in a factory or anywhere else habitually without providing a field for social striving. They crave organization, fun, activity and influence upon one another. You, as managers, can capitalize this tendency to the advantage of your enterprise. You can make your organization a real family, your plant a communal home.

Self-expression is self-rewarding. No life is complete without it and the factory which does not promote it is repressing a vital part of the complete life.

Now, when we reduce turnover of labor we assume certain responsibilities. Building up a permanent working force means securing permanent employes, men and women who stay with us till they grow old, and retire or die. We must, therefore, make their work more completely satisfying. We must make their work a sufficient career. Self-expression is one part of it, and there are other elements in it.

I know of few plants where routine factory work is a sufficient career, but I see no reason why it should not be. Doctors look forward cheerfully to going on being doctors. Lawyers have no difficulty in finding their life work in the law. Other professions are satisfying to those who follow them, and yet such is the nature of factory work at present that it savors a bit of the desire to perpetuate class distinctions to suggest that factory workers content themselves with the prospects of continuing as factory workers. Some wicked agitator has suggested that employers appropriate the motto of a big New York dairyman "Milk from contented cows" as suitable to the aim of managers to keep workers permanently on the job. The way to make that aim worthy is to arrange conditions so that factory work is in itself an agreeable career.

For one thing there must be definite standards of promotion and pay increases. A Detroit factory discovered a workman in its employ who had gone five years on one rate of pay. A Pittsburgh plant till recently was paying three different rates of pay for the same operation under three different names in different departments.

There should be variety of interest, too. The modern subdivision of labor makes a given task a drudgery, monotonous and intellectually stagnant, but it brings with it the possibility of frequent transfers so that, with proper instruction, a man can follow all the steps of a process without great cost to the plant. The Ford Motor Company asks each employe to fill out a card stating the jobs to which he would like to be transferred when it is possible. A company in Rochester encourages employes to fit themselves for more responsible positions and higher earning power, by reimbursing for their outlay those who complete courses of study. The subject of industrial education again hinges upon our discussion at this point, but it is too big to deal with here.

No work is a career, of course, unless it is possible through it to provide for old age. Those plants which succeed in establishing permanent working forces have the inescapable responsibility of providing for the future of all workmen. Group insurance and other forms of life insurance are good, but not sufficient. They do nothing for the workman between his retirement and his death, and serve but poorly even to compose his fears for his family after his death, because nearly every penny of industrial insurance now goes merely to pay funeral expenses.

A pension system helps to bridge the gap between superannuation and death. Any kind of old age pension is good, but we should lean, surely, toward the kind that appears least to be a charity on the part of the company. The income from an investment to which the workman has contributed and which the company has helped him to accumulate is not charity, and has the further merit of leaving an inheritance to the family. Any profit-sharing scheme like the Procter and Gamble plan, which gives the employe a form of stock ownership, has this merit. The most carefully thought out scheme is that of the Baker Manufacturing Company of Evansville, Wisconsin, which provides for a fifteen-year pension after retirement on a partial resale to the company of the stock secured out of profits shared.

These are ambitious plans. The program outlined above is a particular scheme comprising nearly all of the proposals successfully introduced for the attempted solution of the labor problem. Altogether they may not solve it, but incomplete as they may be, they are sufficiently aspiring and they are all that managers can undertake on their own responsibility.



Even if all of these proposals are applicable to most plants, no factory that has so far failed to inaugurate most of these things can hope immediately to get them all going. It will have to go slowly for two reasons, especially. In the first place, it is impossible to apply any new scheme to all employees at once. This is particularly true if, for the expedient to be successful, it must be understood and believed in by the employees. In such a case it must begin with only those who are ready for it. When the Jeffrey Manufacturing Company of Columbus, Ohio, began its building and loan association seven years ago, only eighteen workers out of five hundred who at first expressed interest were sufficiently impressed to make an actual beginning. Now, over a thousand belong to the association and they have over a half million dollars invested. Most good enterprises with workmen have begun in this small way, and no employer should be discouraged by a meager start if the principle at stake is important.

But it is even harder to make an industrial program succeed promptly owing to the difficulty that a plant has in establishing its character with its workmen. It is so even with individuals. We do not easily believe in the permanence of good intentions. We intensely desire to find friends in whom we can trust and who will be as helpful and patient with us ten years from now as today, but experience makes us cautious. Once we are convinced of the unalterable integrity of a friend, there is no gift of adoration too extravagant to lay at his feet.

Workmen have been disappointed too often to be anything but skeptical. They have tested too many mere paper plans for their welfare to place any easy reliance upon new ones. But when a management, by undeviating honesty, determination and good spirit, carries through during a term of years a program of employees' betterment, it cannot fail to win their confidence and friendship.

#### HOW TO REDUCE LABOR TURNOVER<sup>a</sup>

##### 1. Preliminary Measures

- a—Attempt to learn the true cost of turnover in your plant in order to know how much you can afford to spend to eliminate it

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<sup>a</sup>An outline of the essential part of the scheme pictured by the author in the foregoing article. Note that this scheme is intended to be complete and is therefore impossible of universal application *in toto*.

b—Keep adequate records as means of analysis of sources and causes of turnover

- (1) Historical and statistical record separate for each employe including date of employing or transferring, rates, earnings, bonuses, defective work, complaints by or against man, absence, tardiness, periodic certification of foremen, date of quitting and reasons
- (2) Turnover by departments, by causes, by weeks and months and years, and by classes of skills
- (3) High and low earnings by departments
- (4) Defective work by departments
- (5) Absenteeism and tardiness by departments

## 2. Fundamental Remedies

a—Hire the right men for the jobs

- (1) Work up good application list which is a "prospect file" by vigilant search of sources of supply, by industrial census of your vicinity, by courteous and hospitable treatment of applicants at all times, and by getting a good name for your factory even from men who have quit you
- (2) Using your present work force as a "prospect file," coöperate with agencies for industrial education, supplementing them with apprenticeship training, to build up a system of promotion and transfer
- (3) Secure time to examine new applicants thoroughly by receiving advance notice of need and by using adequate assistance in employment department
- (4) Hire in accordance with written specifications for each job, prepared at leisure, and after due consultation and criticism
- (5) Prepare a definite scheme of direct examination for each type of work, (using as much of the character reading methods as your experience approves)
- (6) Examine physically with view both to general fitness, to suitability for specified job, and to need of later up-building
- (7) Visit homes of desired applicants
- (8) Check up records of previous employments
- (9) Hire only those who can earn an adequate wage

b—Pay an adequate wage

- (1) Study cost of and facilities for decent living for each workman and use results in setting base rates
- (2) Give special study to cases of inefficient workmen, to see if money troubles are affecting them
- (3) Centralize and pay off at discount, debts of overburdened workmen
- (4) Promote mutual aid association
- (5) Establish legal aid bureau
- (6) Pay weekly
- (7) Discourage alcoholism
- (8) Instruct in proper use of income

- (9) Encourage thrift and home-building
- (10) Where special causes for increased living cost obtain, attack them, as by coöperative stores, housing measures, etc.

*c—Provide steady work*

- (1) Give piece workers steady flow of material during the day, by proper scheduling system
- (2) Regularize production throughout the year to minimize lay-offs and shut-downs
- (3) Abolish the annual physical inventory, in favor of perpetual inventory with continuous checks
- (4) Make repairs promptly and provide a sufficient reserve supply of tools

*d—Don't fire hastily*

- (1) Check up foremen whose departments show high turnover records through men's quitting
- (2) Don't let foremen discharge at all
- (3) Give unsatisfactory men at least one chance through transfer
- (4) Establish employment committee to review cases of discharge where men appeal
- (5) Establish foremen's club to study ways of getting along with men
- (6) Interview, before paying off, men who quit voluntarily

### *3. Supplementary Remedies*

*a—Start new men right*

- (1) Make clearly understood agreement as to starting pay and schedule of advances
- (2) Introduce new men to bosses, to fellow-workers, and to physical surroundings, and acquaint with rules and facilities of plant
- (3) Instruct men thoroughly in new task
- (4) Advance money or meal tickets to beginners short of funds
- (5) Help beginners speedily to get on piece or bonus rates

*b—Promote physical efficiency*

- (1) Establish physical department
- (2) Examine all workmen periodically and provide machinery for following up those found to be defective
- (3) Provide adequate light, heat and ventilation
- (4) Reduce noise, dirt and noxious odors and fumes
- (5) Purify oils, waste and other supplies
- (6) Purify drinking water
- (7) Provide sanitary lockers, wash rooms and toilets
- (8) Insist upon good teeth and good eyes by using, at least on part time, the services of a dentist and an oculist
- (9) Have nurses or doctors visit those kept home by illness
- (10) Provide mid-workday meals at plant
- (11) Provide good tools and fatigue minimizing equipment

- (12) Shorten work-hours while securing fair output
- (13) Provide at least three rest periods during the day
- (14) Arrange for yearly vacations with pay for all employees. This can be on the basis of an efficiency record or punctuality record
- (15) Promote athletics

c—Foster good habits

- (1) Investigate causes of unexcused absence
- (2) Fix strict penalties for tardiness and unexcused absence
- (3) Bonus regular attendance
- (4) Establish pay system that encourages and rewards accuracy, high output and punctuality

d—Give all employees a hearing

- (1) Hear complaints at all times, no matter how put forward
- (2) Hold regular shop meetings by departments and by divisions to hear men's ideas
- (3) Establish system for considering written suggestions from men; and rewarding with commendation, prizes, or promotion, all thought worthy, and acknowledging all such suggestions without exception
- (4) Encourage all forms of self-directed organization, whether of athletic, social, or coöperative enterprises—provided such organization is not subject to orders from persons outside of your plant and contrary to its interests

e—Make work in your plant a sufficient career

- (1) Establish system for granting unasked-for pay increases as deserved
- (2) Discover ambitions of men for future transfers and promotions
- (3) Help train men to new tasks
- (4) Transfer with some liberality
- (5) Encourage men to improve general education by reimbursing for outlay on courses of study as completed

f—Provide for future of all workmen

- (1) Purchase group insurance for all workmen
- (2) Pension disabled or superannuated employees
- (3) Share profits on some form of stock-sharing basis, possibly in lieu of pension scheme

4. *Provocative Remedies*

a—Fire when other methods clearly fail

- (1) Those with chronic social diseases
- (2) Those whose morals menace the high standards of fellow employees
- (3) Those who persist in agitation
- (4) Those who will not quit drinking

b—Submit all such discharges to appeal committee on which employees are represented

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## THE TABULATING OF LABOR TURNOVER

By E. H. FISH,

Employment Manager, Norton Co., Worcester, Mass.; Chairman, Committee on Labor Turnover of the Boston Employment Managers' Association.

The efforts of this committee to find a reasonable basis for comparison between shops, based on the length of time which men stay on their jobs, developed at the very first a feeling that it was impossible to reduce it to any single figure or percentage.

We felt that the percentage of labor turnover as usually computed and published was being used to some extent as an index of the value of an employment department. If this is so, it puts a premium on a department able to persuade foremen to retain inefficient workers whom his better judgment told him should be laid off or dismissed. In view of these thoughts, we decided at the start that it would be desirable to analyze the causes of leaving as well as the different kinds or conditions of people whom we employed. With this in mind, we evolved sheets (see inserts 1 and 2) in which those who were hired, or those entering the employ of the company, were divided broadly, at first, into the new, the reemployed, and those transferred from other departments. One sheet is prepared for recording the turnover for the entire plant by departments during a chosen period of time, and the other the turnover in a given department for a given month. On each sheet the new and the reemployed are each divided into three classes, those who are experienced, those who are learners and those who are laborers. The division was adopted after considerable discussion in which skilled, unskilled and semi-skilled occupations were discussed, but it was decided that for the purpose of keeping the cost of labor turnover low, it was an advantage to every concern to hire experienced people, regardless of whether their experience was that of the skilled, semi-skilled or unskilled person, because the previous experience with the company, or with similar companies, counts for almost as much in one case as another.

## PROBLEMS OF CLASSIFICATION

The classification of learners was adopted because of our feeling that we should face the facts fairly and squarely as to whether we were hiring men whom we expected to train for our own purposes, whether they were men who we suspected had previous experience, or whether we should make a distinction between them and laborers whom we expect to be about equally efficient at the beginning and at the end of their employment. This too gives us an opportunity to present to the managements of our several companies the number, usually large, of employees for whom some kind of training is needed before they become efficient, because by thus showing this considerable number, it probably will be possible to induce them to set aside certain portions of the shop for specific training of new employees. As such men are scattered amongst the general help, the large number usually passes unnoticed. Under the head of those transferred to a given department, the division is made between those transferred for physical reasons, which includes, of course, those transferred because they have been injured in accidents, and those whose physical condition has changed through sickness, or those whose physical condition remains the same, but where the job in the department has changed its nature in such a way that we do not feel the man can safely continue to do the work for which he was originally employed.

Those promoted require no discussion. Those who are transferred from another department, because they have failed in the first, should be kept entirely distinct because, while as a matter of fairness to the individual it is usually desirable to give the failures another opportunity in some other department, the percentage of them who make good should be kept track of, and that cannot be done unless we know the actual number who were transferred under such conditions. It appears to be generally found that a sufficient number of those who fail in one department succeed in another to make it well worth while to hold this second opportunity open at the option of the employment department, but it was not thought that the percentage of those who succeed in the second department is large enough so that it can be said to be universally true that everyone should have a second or a third opportunity.

Under the head of "Transfers on Account of Departmental Fluctuation," we take care of cases where one department finds

## TURNOVER

Turnover is the change in personnel brought about by hiring and termination of employment. Many conditions enter into these changes, some of which are beyond the employer's control or influence. Other conditions are largely within the control of the employer and, because of their obvious importance, they demand serious consideration.

Problems relating to personnel are no less vital than problems relating to markets, materials and machinery. Conditions affecting turnover lie at the heart of all personnel problems. Intelligent consideration cannot be given these conditions without knowledge of facts and such knowledge depends upon accurate data.

It is impractical merely to group or express in total percentage, all the factors entering into turnover; these factors are irreconcilable. It is of value to know the percent of exits but it is of more value to know the causes of those exits; therefore a detailed analysis of reasons underlying termination of employment becomes valuable.

With the above in mind and appreciating the necessity of uniform records if future discussions of the problems of turnover are to be of value, the Employment Managers' Association of Boston has adopted this provisional form and method for computing turnover. The Association anticipates its later revision in the light of experience to be secured through its use.

As a convenience and economy to employers this form is printed and carried in stock by the Library Bureau, Boston, Massachusetts.

## DEPARTMENT SUMMARY

ENTRANCES		PER CENT	
	NUMBER		
1 Employed	_____		_____
2 Re-employed	_____		_____
3 Transferred	_____		_____
4 Total Entrances	_____		_____
<hr/>			
EXITS		PER CENT	
	NUMBER		
5 Left of Own Accord	_____		_____
6 Discharged	_____		_____
7 Laid-off	_____		_____
8 Transferred	_____		_____
9 Unavoidable	_____		_____
10 Total Exits	_____		_____
		Deduct Unavoidable (9)	
		Balance -- Department Turnover	

REMARKS :—

[illegible][illegible]

**Last Day  
of this  
Month**

Department	Average for M
...	...



itself temporarily out of the normal amount of work through lack of delivery of material, or for any other reasons, and the people employed there must be taken care of in some other department instead of being allowed to drift outside.

#### THE INFLUENCE OF WORKING CONDITIONS

Under the head of "Exits," broad divisions were made between (1) those who left of their own accord, (2) those who were discharged or dismissed from the employ of the company, (3) those who were laid off, (4) those transferred to other departments, and (5) the exits which were unavoidable by any act which the company might take. Under those who left of their own accord and which should be understood to include only conditions which might be remedied if the company saw fit to do it, we make the three broad divisions of those who left (a) on account of working conditions, (b) on account of location, and (c) for other reasons. Under working conditions we made the subdivisions of those who leave on account of wages, that is, those who were able to or thought they were able to get larger pay, those who leave on account of heavy, wet or dusty conditions, which column might also be used to cover many other conditions such as those due to lead poisoning, etc., those who left on account of ill health, and monotony. Two additional columns are left for specific reasons which may apply only to the shop which is using this form. Probably in almost every concern, the largest number of assignable reasons will be those relating to wages. It was thought that experience might show a certain more or less definite percentage of people leaving on account of their wages which might indicate a danger point and that salaries or wages should be increased. For example, if the turnover due to people leaving the concern on account of wages alone should become more than say 30 or 40 per cent, it might be deemed desirable to consider seriously the question of a general increase of wages in the department affected.

Under the head of "Heavy, Wet or Dusty," etc., of course are included conditions which are oftentimes inherent in the business itself, and which must be faced. Sometimes, however, the fact that we are able to show to the management that a larger percentage of people than they had supposed leave us on account of these reasons, may indicate to them the desirability of spending

considerable sums of money in remedying conditions which they had been inclined to think were of comparatively little importance. Under "Ill Health," are supposed to be included only such cases as are contracted outside of the employment, for such few cases of sickness as come about through the fault of the company itself, or through defects which they might readily remedy, should be classified under "Transfers for Physical Reasons."

"Monotony," is often the cause of people leaving, although it is not always easy to discover this reason from the excuses given by the people themselves, and especially from the excuses given by the foremen. Where it is suspected that work is monotonous care should be taken to draw out the opinion of those who leave.

#### LIVING CONDITIONS AND THEIR EFFECT

Under the head of "Location," we have made two divisions, one "Due to the Family Moving from Town," which, of course, usually applies to the children or the younger people in the family. We usually consider that if the head of the family is the one who takes the initiative in leaving town that it must be for some other reason, and will be classified under another head; that is, he may be leaving town on account of any of the working conditions which we have already mentioned, or it may be because we have laid him off, and he is only able to secure a position somewhere else.

Under the head of "Housing Conditions," we place the leaving of employees because they are unable to secure the kind of tenements or houses which they desire, or cases which often happen in rush times of their being entirely unable to find accommodations at all. We place this under the avoidable causes, because it is something which concerns have usually in locating their plants out of the center of large cities. The concern may not care to go to the expense of reducing the turnover due to the lack of good transportation or good housing, because it feels it is making more money through some of the other advantages of distance from the center.

A number of blank columns are left here. The only miscellaneous reason which we are giving is "Unknown," which, unfortunately, it seems to be necessary to maintain. It is usually possible to get some reason assigned for every person's leaving, also many times these reasons are such that we doubt them. Therefore

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It is impractical merely to group or express in total percentage, all the factors entering into turnover; these factors are irreconcilable. It is of value to know the percent of exits but it is of more value to know the causes of those exits; therefore a detailed analysis of reasons underlying termination of employment becomes valuable.

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## PLANT SUMMARY

ENTRANCES	NUMBER	PER CENT
1 Employed	_____	_____
2 Re-employed	_____	_____
3 Transferred	_____	_____
4 Total Entrances	_____	_____
<hr/>		
EXITS	NUMBER	PER CENT
5 Left of Own Accord	_____	_____
6 Discharged	_____	_____
7 Laid-off	_____	_____
8 Transferred	_____	_____
9 Unavoidable	_____	_____
10 Total Exits	_____	_____
<hr/>		
Deduct Transferred and Unavoidable (8 and 9)		_____
Balance = Plant Turnover		_____

REMARKS :-

MONTH \_\_\_\_\_

[illegible]

increase or temperature  
in Plant on Last \_\_\_\_\_  
Day of Last Month \_\_\_\_\_

Last day \_\_\_\_\_  
of this \_\_\_\_\_  
Month \_\_\_\_\_

Average \_\_\_\_\_  
for Month \_\_\_\_\_

it seemed desirable to leave a column frankly for those whom we do not wish to assign to any particular cause.

#### CAUSES OF DISMISSAL

The exits from work on account of dismissal have been classified under the heads of "Careless," the careless man perhaps being the greatest bugbear that we have, although sometimes it is a curable disease. Laziness is our second classification, though as a usual thing it is very hard to distinguish between carelessness and laziness, the results and the symptoms being very much the same. It was, however, thought that there would be men who are exceptionally active whose carelessness is the result of over-enthusiasm, and whose classification falls under the first head rather than the second.

Incompetency is a very common cause of dismissal in these times when men are apt to represent themselves as even more capable than they really are. In a measure, the turnover due to incompetence may be said to reflect somewhat on the employment department who should be sufficiently keen to discover such cases before hiring them. It is certainly a part of their duty to give such people another opportunity if possible by transferring them to some other department, so that we would expect that this column would not be especially large. Under the head of "Unreliable," we would place such men as we considered were actually competent, but through carelessness or laziness were apt to be variable in their actions. Probably not a great many would be classified under this head, as they would most naturally fall under the two heads of "Carelessness" or "Laziness." The column "Liquor," "Trouble Breeders," "Insubordinates" and "Misconduct" probably need no explanation. There are very few places where any of us can afford to keep men who abuse the use of liquors, or those who are in the habit of stirring up trouble with other people. Our general experience with insubordination, however, leads us to feel that there would be very few cases which could be clearly placed under this classification, as most men are willing to subordinate themselves to a foreman's instructions if they are given clearly so the man does not misunderstand them, and if they are given in a proper spirit. Most of the men, who under proper working conditions, are insubordinate may be said to be trouble breeders by nature, and should probably be classed under that heading.

## WHY MEN ARE LAID OFF OR TRANSFERRED

Under the sub-heading of "Men Laid Off," we have made the following divisions:

1. To decrease the force, probably made necessary by lack of work, although it might be due to the fact that additional machinery had been installed which required less labor to operate, or because the men already on the job had become more efficient and were able to do the work in a smaller group.

2. Those laid off for physical reasons include those who have become aged in the service of the company, and those who as a result of some sickness, or accident, had become incapacitated. It seems, however, that very few should be placed under this column, as a man who has become incapacitated as a result of the work which he has done seems to be a proper object for further care by the company, either by being placed in some easier, less active job, or by being placed on some sort of a pension roll.

The next column accounts for the laying off of those temporarily employed, which reminds us that under the entrances no division is made between those who are employed for temporary work and those who are not. It is very difficult usually to determine, at the time a man is hired, whether his employment is temporary or not. We may have a gang of fifty men, and we may wish to increase that gang temporarily to seventy-five. In hiring twenty-five new men, we are almost certain that some will prove to be men whom we will wish to keep at the expiration of the time when the work is done for which they are hired, preferring to discharge some of the men who are already on the job as being less capable.

The subheading for men transferred is divided into those transferred for physical reasons, which is covered also in our statement regarding those laid off; for those promoted, which is usually obvious, although promotion at times may appear to be a little vague. Oftentimes, a man asks for a transfer from one department to another which he believes will prove to be a promotion for him, when it seems to us as if it was a demotion. However, we should feel, we think, that anyone who is bettered either mentally, or physically, or pecuniarily, is promoted even though it may not appear to an outsider that the new job is better than the old one.

Those who have failed in one department and are transferred from that department on that account, also, of course, appear in the entrances under the head of those transferred. Departmental fluctuation is supposed to cover the transfers made from time to

time from one department to another, and more especially between departments of the same nature, but, perhaps, in different buildings under different foremen. This would cover such cases as those where a number of people leave one department, and in order to fill the gap others are shifted from other departments to that, possibly temporarily and possibly permanently. Transfers under this heading would not constitute promotions nor indicate that the person transferred is in any sense a failure.

The unavoidable causes are classified among those who are superannuated or pensioned for any other reason, those whose marriage takes them away from the shop or office, and the deaths which are caused by exterior causes, or those due to occupation in the works. We felt there should be this last distinction between the two because exterior causes are not a reflection upon the industry at all, while those coming from the occupational diseases or from accidents should be kept separate so that we might have an index of the dangers of our work.

At the bottom of the sheet, it will be seen that there is provision made for getting the percentage of leaving for each one of a number of different causes. There is first a footing for the total of each individual column. By dividing that total by the average number of employes concerned, we arrive at the percentage leaving for that particular department for that individual reason, and for the time covered by the sheet. Then the next totals are for the totals of the subheadings: that is, the new entrances, the reemployed and transferred, those who left of their own accord, those who were discharged, those who were laid off, those who were transferred and the unavoidable. Then the third set of totals and percentages is for those coming and those leaving, so that if this is applied to the whole plant, the percentage of those leaving over the average number employed will give us the total turnover for the whole plant. On the other hand, the sheet gives us a classification as fine as anyone probably will require, so that a study of these sheets will give a bird's-eye view of the whole condition, and as finely subdivided an opportunity for study as can be wished. The recapitulation of these figures by departments and by plants is provided for, as may be noticed on the back of the two forms.

## DETERMINING COST OF TURNOVER OF LABOR

BY BOYD FISHER,

Vice-President, Detroit Executives' Club.

The following tentative proposals for a real cost system for labor turnover are offered for criticism. To date all estimates of the cost of hiring and firing have been mere guess work.

Mr. Magnus Alexander's thoughtful paper on "Personnel and Employment Problems," the only study of the subject, has been of use in making up this system, but one is forced to point out that his method of arriving at cost is more suggestive than authoritative, and was doubtless not intended to be final. He uses the opinions of experienced men, including his own, as a basis for arriving at each element of cost. This procedure might be repeated indefinitely without giving us anything reliable.

To follow the method here proposed will be expensive, but once there have been accumulated reliable statistics on the subject, the process of correction and follow-up will not be costly. Furthermore, the research can well be parcelled out among various plants to render immediate results of value. This, however, should not be mistaken for saying that the extent of each element of cost is the same in various plants. It is probably merely sufficiently the same that if several plants study each feature, the average results will yield an honestly average figure. Each individual plant must determine its own cost to get accurate results for its own guidance, and must expect the cost to vary somewhat from year to year.

Mr. Alexander estimated the cost of hiring a laborer at \$8.50 and an unskilled machine operative at \$73.50. Thus we see that if his figures are correct, a 100 per cent turnover of unskilled machine operative costs as much as an 860 per cent turnover of laborers. This difference in cost warrants our spending money and time to get reliable data. Furthermore, it reveals how inconclusive is the practice of stating turnover merely in percentages which lump together turnover of all grades of workers. A definite knowledge of cost will show us where we ought to place the greatest emphasis in efforts to reduce turnover, and will guide us accurately



in deciding how much to spend on apprentice instruction, welfare work and improved employment methods, and, especially give us knowledge of an employe's increasing usefulness to a concern as a basis for making wage increases for long service.

It should be noted, in connection with the accompanying outline, that no mention is made of the cost of rehiring former employes. This obviously differs from the cost of hiring new men. The cost, however, can be figured for each item precisely as with new employes. Former and new employes should simply be analyzed separately.

#### DETERMINING COST OF TURNOVER

##### I. *What is meant by "turnover"*

1. The average standing pay roll for any given period should be given as basis
2. In case there is a general reduction in the number of positions during the period the percentage of new employes to the average standing pay roll should be taken
3. In case there is an increase in the organization the percentage of quitters to the average standing pay roll should be taken. In the first case the amount by which the number of quitters exceeds the number of new employes accounts for the reduction. In the second case the amount by which the new employes exceeds the quitters accounts for the increase.<sup>1</sup>

##### II. *Variables in the cost of turnover*

1. Cost varies by classes of skills of employes hired
  - A. Highly skilled, all-round machinists or master workmen—
    - a. Require little instruction
    - b. Are easy on machines
    - c. Are economical with supplies
    - d. Soon reach normal output
    - e. Scrap minimum of product
  - B. Semi-skilled men—"operatives"—who have operated some one or two machines just long enough to make production on those machines—
    - a. Require instruction on new jobs
    - b. Are harder on machines
    - c. Are careless with supplies
    - d. Do not soon reach normal output
    - e. Have high scrap average
  - C. Unskilled operatives—
    - a. Require still more instruction
    - b. Are deadly on machines

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<sup>1</sup> *The Annals of the American Academy of Political and Social Science on "Personnel and Employment Problems,"* article by R. A. Feiss, p. 51.

- c. Are wasteful of supplies
  - d. May never reach normal output
  - e. Scrap as much as they produce
  - D. Laborers—
    - a. Require little instruction and get less
    - b. Don't use machines
    - c. Can't waste many supplies
    - d. Have short learning periods
    - e. Scrap nothing
  - E. Clerks—
    - a. Require as much instruction as B
    - b. Are about as hard on machines as B
    - c. Use cheaper supplies
    - d. Take as long as B to reach output but cost less per unit
    - e. Use no product and hence waste none
    - f. Have a high factor of expensive errors
2. Cost results will vary according to completeness of analysis. We should consider the following items:
- A. Cost of hiring, the only item which has a tendency to go up with the reduction of turnover because it is the only factor on a "production" basis
  - B. Cost of instruction
  - C. Cost of added wear and tear on equipment operated by green hands
  - D. Cost of reduced production on machines operated by green hands, when payment is not strictly proportional to output
  - E. Cost of excess plant necessary to make up production lost on machines operated by green hands
  - F. Cost of scrap over and above the amount normal for experienced men  
We need not consider reduced sales due to delay in schedules or to spoiled work because they are too difficult to determine; neither should we count danger of strikes due to agitation among new employees, because too occasional. But these things exist and should be considered as showing our other cost estimates as probably conservative.
3. Cost results will vary according to length of time new employees are followed up
- A. Hiring *does not* vary in this way
  - B. Instruction usually is limited to an arbitrary time—two or three days
  - C. The new worker probably requires around three months to get familiar with machine in all respects, although this estimate remains to be proved
  - D. Up to probably four weeks the new employe improves rapidly. It takes him probably six months to "hit his best stride." Not so, however, with laborers
  - E. The excess plant requirement is proportional to reduced production

- F. Excess scrap probably persists for a longer period than reduced production, because most men acquire speed more quickly than accuracy
- G. Waste keeps pace largely with scrap
- 4. Cost varies according to the type and value of the equipment used by new employes, with respect to cost of:
  - A. Hiring—not so
  - B. Instruction—true to large extent
  - C. Wear and tear—to very large extent
  - D. Reduced production—holds true
  - E. Excess plant requirement—especially and chiefly
  - F. Scrap—to some extent
  - G. Waste—to some extent

Among the different classes of employes this variation is significant as follows:

- Class A. This is important because they are likely to use expensive equipment
- Class B. Important for same reason
- Class C. Important
- Class D. Does not hold true of laborers, who use little equipment
- Class E. Holds true in less degree

### III. Figuring total costs while taking the above variables into account

1. To figure cost of hiring—itemize:
  - A. Standard cost per employe for physical examination. Spread cost of total number *examined* over total number *hired*
  - B. Membership in employers' associations and other labor bureaus. Spread annual cost over number hired
  - C. Clerical help and all other salaries of employment department. Figure total number of men on "live" record during the year, whether employed or not—subtract the total for average standing pay roll. The ratio of remainder of names to the total on "live" record is proportion of cost of salaries which should be spread over the number of men hired  
 This subtraction of a proportion for employes on the pay roll is made in recognition of the fact that there would need to be clerical work of this sort even if there were no hiring done at all
  - D. Cost of advertising, trips out of town for men, office rent, new badges and miscellaneous, divided among number hired
  - E. Cost of printing prorated over number hired according to C

These items do not vary according to length of service or class of skills or types of equipment used.
2. Instruction—itemize:
  - A. Time of foremen spent with new employes
  - B. Time of workmen detailed as instructors for handling machine
  - C. Time of "time study" men acting as occasional instructors for handling work

Figure separately for an average month for each class of skill "A to E."

## 3. Wear and tear—itemise:

- A. Time of maintenance department on machines operated by new employees, minus a constant factor of time for experienced employees. (Obtain this factor by recording for a sufficient period the time of maintenance men spent on the average with a selected group of employees of all lengths of service over one year.)
- B. Cost of materials used for repairs on machines operated by new employees, minus a constant factor of material, for all employees. (Obtain as in "A.")

(The above necessitates at least temporary use of job tickets for maintenance men, with space on tickets to indicate time spent with new and old employees.)

- C. Breakage and wear on tools, dies and jigs used by new employees, minus a constant factor for experienced employees
- D. Constant factor of cost per man for premature depreciation of machinery. This can only be guessed at, but it may be more closely approximated by a genuine research, which would:
  - a. Take certain critical machines now worn out
  - b. Find out best records of wear from the makers
  - c. Compare average wear in given plant, and
  - d. Spread the difference over the number of new men who worked on those machines during
  - e. The actual life of those machines. Once determined by careful studies and compared with the results of other students, this could be made a constant factor for each plant, or each type of machinery, relative to complexity of design. Figure all but the last point for average month for all classes of skills save laborers.

## 4. Labor cost of reduced production. This cannot be figured exactly but can be approximately by averaging the results obtained by looking at the matter from several points of view. I suggest the following:

## A. First alternative—

- a. Determine by time study and standard practice the ideal capacity of each machine and production center in terms of production per hour
- b. In order not to charge up to turnover any loss of production due to defects in scheduling, record the actual man-hours worked on each production center for a given period and thus
- c. Arrive at total ideal output for that number of hours
- d. The difference between this and the actual output is the loss due to turnover and may be
- e. Prorated to the number of men hired for the period. Theoretically, workers have been paid for ideal output. Price this reduced production, therefore, at cost of departments in question of direct and indirect labor. All other items of cost are elsewhere provided for, under "waste," "excess plant," "wear and tear," etc. If a piece price is paid, however, new workers,

like old, being paid only for work actually done, only the cost of indirect labor should be assessed against the labor cost of reduced production. The above method is not strictly true, but if the ideal machine capacity is based upon the observed output of experienced operatives, it will be sufficiently correct.

**B. Second alternative—**

- a. Select a number of machines worked by new men and an equal number of like machines worked by men over a year in service
- b. Record the production of each group until the total of men reaches the total of old men.
- c. Time required to teach this may be taken as average learning time
- d. Total difference of production during this time may be spread over the number observed and the average taken as the loss for the average man hired
- e. For men dropping out of the groups while under consideration substitute other men with approximately equal production and equal length of service. Separate observations should be taken for each class of skill—A, B, C, and E.

**C. Laborers can be figured in about the same way, namely—**

- a. Take a set quantity of trucking, etc.
- b. Compare the number of new as against the number of old men required to do this fixed quantity
- c. Drop men as they improve so as to keep output constant
- d. Until number in first gang equals number in old, this gives the learning time for laborers, and the loss of production of average new laborer.

**5. Excess plant cost of reduced production**

- A. Assume that the plant investment required under present conditions will bear the same ratio to total investment in plant which would be needed if there were no turnover, as the production which would be possible with the present equipment operated by all experienced men would bear to the present actual output. In other words, if your reduced production is 20 per cent, your excess plant required is 20 per cent. This is stated as axiomatic.

**B. Find present total inventory**

- C. Figure on the basis of your present loss of production how much less equipment would be necessary without labor turnover

**D. The difference may be used as basis for figuring the amounts of—**

- a. Interest on capital
- b. Depreciation
- c. Power
- d. Insurance
- e. Rent

**f. Repairs**

which are due to turnover

- E. Figure by shops, as if separate plants, for each class of skill using equipment and spread cost over turnover in those classes

Excess plant cost and labor cost of reduced production should be figured separately and then added together, instead of prorating excess plant cost as a burden on the labor cost of lost production, because the burden is not the same man for man, and department for department. Furthermore, in departments where wages are in proportion to efficiency, "excess plant" costs plus excess supervision constitute the sum lost by slow production.

6. Spoiled Work

- A. Select at random two equal groups of men representing evenly all grades of skill save laborers, one, a group of new employes, the other, of men over one year in service
- B. Compare total scrap losses for each group until approximately even per day period for some time. The point at which it began to be even may be taken as showing the average time required to reach normal scrap record
- C. Subtract total scrap made by old men from total made by new men and divide the difference by the number in a group, to get total scrap per new employe hired

7. Waste—

Figure the same as scrap. The item includes waste of oil, cutting compound, compressed air, etc.

## AN ACTUAL ACCOUNT OF WHAT WE HAVE DONE TO REDUCE OUR LABOR TURNOVER

BY JOHN M. WILLIAMS,

Secretary, Fayette R. Plumb, Inc., of Philadelphia and St. Louis; President of the Philadelphia Association for the Discussion of Employment Problems.

### THE USE OF AN EMPLOYMENT DEPARTMENT

I wish to speak from the standpoint of the average employer of the need of an employment department; and, to make myself entirely clear, I wish to point out conditions as they existed in our factory, and it is safe to presume in the average factory.

First, I want to state that our firm is over sixty years old, and has built up a reputation for making high quality tools during all of that period. This is not intended as an advertising statement, but is to give you some idea of the class of work we do, the problems we must solve, and further, to have you feel that our employees producing such work, must be at least of average intelligence. You will thus understand that the problems we met were not due to the fact that we had a lot of underpaid, ignorant employees. In other words, our problems are about the same as the problems you have in your own factory.

I also want to impress upon you the fact that while we are sixty years old, we are also sixty years young. I am the oldest man in the executive department of our organization and I am not much over forty years old. We have the reputation of being progressive along all lines of executive control and have established a record for efficiency along general factory lines. We have technical graduates who have been employed in our various departments to keep us fully abreast of the times in all branches of research work, especially in the development of steel. We have a cost system in our factory that was installed at the expense of thousands of dollars, and is to my mind the most efficient I have ever seen because it produces results, and presents them to us monthly.

These points are brought out so that you will realize that we are not held back by any "old fog" ideas on the part of our executives, and to bring home to you the appalling fact that in an or-

ganization such as ours, striving to be up-to-date, it has only been within the past few years that we have fully realized what a terrible drain excessive labor turnover makes on the pocketbook of the employer.

#### COST OF LABOR TURNOVER

We have learned during the past two years from authorities in their line, as to the cost of labor turnover, and I believe the fact is firmly fixed in our minds that there is such a cost, but as the statement of such cost has been so general we are more or less skeptical as to the actual amount involved. I therefore propose to tell you about one of our departments, and will consider only the actual cost to us of bringing a man in off the streets, placing him in a position that is only semi-skilled, in fact, in such a position that with average intelligence a man becomes an effective worker in twelve weeks.

The department in question is run on a piece work basis and we have a plan whereby we pay each workman a day rate, in addition to a piece rate, until such time as he becomes efficient enough to earn a fair week's salary, which in this department is about six weeks, although to reach the full pay of an expert worker takes twelve weeks.

Our basis is as follows:

The first week we pay thirty cents per hour flat.

The second week we pay twenty cents per hour and in addition pay for all production he turns out on the basis of regular piece rates of such production.

The third week we pay fifteen cents per hour on the same basis.

The fourth week we pay twelve cents per hour on the same basis.

The fifth week we pay eight cents per hour on the same basis.

The sixth week we pay five cents per hour on the same basis.

At the end of that time the man should be self-supporting. We credit this man with all work turned out, and yet our records show that such a man costs us, in excess day work charges, the cash sum of \$42. This, however, is only part of the cost, as in this particular department the overhead expense is 130 per cent, or for every dollar we pay in actual productive labor we pay \$1.30 for unproductive expense, such as foremen's wages, instructors' wages, inspectors' wages, power, heat and light, repairs to machinery and fixtures (belts, shafting, benches, frames, etc.), oils, grease and



## WHY WE STARTED AN EMPLOYMENT DEPARTMENT

The work of the Philadelphia Association for the Discussion of Employment Problems opened our eyes to the importance of a better system of hiring and firing men. Our system had been the lack of system used by the average employer. When we needed men, our foremen hired what men they could get through their friends, and the balance were picked up in the early morning from the floaters found at the door of every factory daily, and it is hard to conceive of a more undesirable source of supply. This method is so bad in its results that I do not intend to dwell upon it but will relate actual occurrences that crystallized our ideas as to starting an employment department. We heard one of our foremen interview an applicant one day when our need for men was urgent, and the way he handled him opened our eyes as to the possibilities for evil under such a system.

We had at that time, when labor was plentiful, a scheme of partial remuneration, different from that outlined above. When the foreman appeared on the scene, after the man had been waiting almost an hour, he approached him in a belligerent attitude, with—

"Do you want a job?"

The answer was "yes," and an inquiry as to the kind of work. This was answered in a monosyllable, and then the applicant asked what the job paid. With no attempt to explain the method of remuneration the applicant was informed that we started men in and they could make fifteen cents an hour but would soon learn and get more money.

The applicant said, "I could not work for fifteen cents an hour."

The foreman snarled, "Hell! You don't want work," and left the applicant standing in the hallway, with a blank look on his face.

At about the same period we advertised for men, and our office was filled daily in the early morning, and when the foremen had grabbed off as many as they needed in point of numbers, they paid no attention to the balance, but would instruct an office boy to tell the applicant that all jobs were filled.

One day we received a letter from a workman who had noticed the advertisement, and wrote relating his experience in answering a previous advertisement from our factory. He stated that he did not want to try it again. He pointed out the fact that he had spent an hour and a half in the early morning to get to the factory

at a cost of twenty cents, a loss of an hour in waiting at the factory, and the fact that he had eventually been dismissed by an office boy with no opportunity to see an executive.

He was exceedingly bitter and deservedly so. We wrote him a personal letter, apologized for such a condition, and promised him it would never occur again to any applicant and I don't believe it ever has. The injustice of such a method, coupled with the ruinous effect it must have on our reputation made such an impression that the whole subject was taken up with the board of directors and it was finally decided to create an employment department.

#### START OF EMPLOYMENT DEPARTMENT

When we had definitely decided to create this department, we knew that we had to make haste slowly, but that there were certain definite lines of policy that must be laid down at the beginning. The first step was the selection of the heads of the department. We finally decided that it must be in the hands of men with knowledge of our factory processes, men big enough to analyze conditions, and important enough in position to have at all times access to, and the hearty coöperation of, our executives, as we realized that employment problem studies would eventually lead to considerable changes in shop conditions. We finally placed entire charge in the hands of our assistant superintendent, Mr. William D. Plumb, together with our comptroller and cost accountant, Mr. James A. Mellon.

The reason we selected these men was because we figured that the job had two sides. We selected our assistant superintendent because he was constantly in personal touch with the men throughout the factory, was also, through his daily routine, familiar with shop conditions, and in the best of position to investigate complaints at first hand. We selected the head of the cost department as this department was to be linked up with the employment department and was to keep all records necessary to take care of the information needed for a successful solution of our employment problems. The cost department in our organization is cold blooded as to figures, and we wanted them to show what progress we were making in dollars and cents and at the same time act as a check on any proposed expenditure suggested by the employment department that did not promise to bring results in dollars and cents. The question of taking

from the foreman the authority to hire and fire workmen was carefully considered, but not definitely decided in advance, as it seemed such a serious problem.

We finally called a conference of our officers, the new employment managers, whom we had selected, and our two superintendents, to discuss fully all questions connected with the establishment of the department. There was very little discussion as to matters of general policy, until we approached the question of taking the hiring and firing out of the hands of the foremen. Both of our superintendents were opposed to doing this, and while they granted that we could possibly solve the hiring part, they saw great obstacles in the way of taking from the foremen the authority to fire men. The greatest objection was raised on their honest conviction, that taking this authority away, would weaken the foremen in the eyes of the men, and break down all discipline. We argued the matter for some time, raising hypothetical questions of what could happen in a department where it would be necessary for a foreman to exert his authority at once, or lose his hold on his workmen.

All cases were met with logical answers covering all points brought up as far as we could foresee them, and we all finally agreed that the advantages far outweighed the disadvantages, and the employment department was created with the full consent of all concerned. The work of the new department was outlined as follows:

*Memorandum, March 30, 1916*

1. The employment department is to examine and hire men. Requisitions for men from various departments are to be sent to the employment department by the foremen. From these requisitions the department is to get men to fill positions by advertising or from other sources of supply which it will be necessary for the department to create.

2. The employment manager is to watch the men after they are employed, keeping records of the work, and to see that the employe is brought up to the standard of the department, one thought being that we should adopt an efficiency schedule, and if a man cannot make good in the time set for him he will either be discharged, or, if he shows any adaptability for other work, placed in another department.

3. After some discussion the general thought of the conference was that employes could neither quit nor be discharged without the signature of the employment manager. This would enable the employment manager to find out causes for men leaving, and while he might not be able to retain the men it would

show him our weakness if any exists and enable him to eradicate it with future employees. The signature of the employment manager on the discharge slip of an employe would likewise make foremen more careful as to recommending the discharge of a man without a just cause.

4. The employment department would keep records of absences of employees, general efficiency and all items of this kind bearing on a man's value to the plant. This will be worked out by this department and is entirely in their hands.

5. It was definitely decided that requisitions for employees presented by foremen must be O. K.'d by the superintendent in order to keep him in touch with the general situation.

### HOW WE STARTED

We had nothing but an application blank on which to start, and no place except the hallway of the main office to interview applicants, but nevertheless we put the plan into effect at once and notified the foremen of the new procedure. Considering the effect of such a change to the foremen it was accepted with a better spirit than we expected. From the foreman's standpoint he was giving up a great deal more than we perhaps realized. He had been accustomed to an autocratic control of his department and he was rendered homage by his acquaintances through being the man who could place them in positions when he so willed it. Adulation is incense to most men, and they were no exception. Suffice it to say at this point, however, that we have never had any real friction with the foremen on either point.

One of the first benefits we derived was in freeing the foremen from the daily necessity of looking over men they needed at the factory door. Under the old system, the first hour of each morning and the most critical hour from a departmental standpoint, was signalized by the absence of foremen from their departments. The new system automatically changed this, and foremen were free to supervise work in their own departments, rather than lose hours daily in interviewing applicants for work. This has worked out so well in actual practice that I question if we have in our organization today a foreman who would go back to the old method of hiring, and we unquestionably would not. In addition to lost time, which can be more profitably spent in their own work, foremen as a class have not a broad enough viewpoint to select men dispassionately, nor have they the opportunity to select them. Quite often you will find, on account of the foremen, cliques built up within a department

due to nationality, creed or secret societies. This is not always intentional, but is created because the foreman draws from his only source of supply, viz: his own friends and associates.

As to the firing end of the proposition there are many arguments against leaving this power with the foremen, but the following seems to my mind pertinent enough to point out the weakness of the practice: Factory managers check up their foremen on all material they use; watch them to see that the machinery is in good condition and save every penny they can by careful supervision, but when it comes to firing men, they give the foremen full sway, because the potential value of \$50 to \$100 invested in that man is not shown in hard cash and is therefore overlooked.

The employment department found right at the start that they were handicapped by lack of facilities for interviewing applicants, and it was definitely decided that we should build an employment office for the purpose of housing the new department. Their preliminary studies had convinced the managers that valuable space was taken up by lockers and departmental wash-room facilities, so the suggestion was made that we combine with the building for the employment department, a service building for the men, with sanitary lockers for each individual, good wash-room facilities and shower baths. This was done, and the building has been in service since July, 1916, and has undoubtedly had a great moral as well as physical effect on our workmen, in addition to the valuable and much needed space which it has released for greater productive capacity in several departments.

It was soon apparent that it was necessary to keep a system of records of each individual from the time he made his application until the time he left our employ for any reason, and time and study has brought into daily use the forms herewith, which I shall try to make clear to you.

#### FORMS IN USE

The following are a set of forms which we find necessary to use in our work.

I Requisition for help sent to employment department signed by foreman. On reverse side we have printed a new employee slip, which gives a record of the man sent to fill the requisition.

## FORM I

## REQUISITION FOR HELP

Always use this form when in need of help and whenever possible notify Employment Department one week ahead.

2.16. 1917

Employment Dept.:

Please employ for Dept. 18 one man age 21 to 40 with the following qualities  
*Some experience if possible or strong sober man*

Kind of work wanted for *Polishing*

Wages to start *New rates*

Chances of advancement *Piece work*

Steady or temporary work *Steady*

When needed *at once*

Signature *John McMullin Dept. 18*

II Application blank. All the questions we ask seem to us pertinent, and the answers give us a line on the applicant's desirability.

## FORM II

## APPLICATION FOR POSITION

No. *1831*

Date *2/24 1917*

Name *John Sobritski*

Address *4623 Milnor St.*

Read Eng. *No*

Married ☒

Age *33 yrs.* Wt. *165 lbs.* Height *5 ft. 10 ins.*

Write *No*

Single

Speak *A little*

Last Employed at *Henry Disston & Sons*

Address *Tacony*

How long *6 months*

Why Released *Change of residence.*

## LAST 4 PLACES YOU WORKED

Place *Rowlands Spring Shop* How long *1 year* Why Quit *small pay*

Place *Barrett* How long *6 months* Why Quit *dissatisfied*

Place *Germantown Tool Co.* How long *2 months* Why Quit *too far*

Place *Fayette R. Plumb* How long *2 years* Why Quit *to go to Germantown*

Time ☒

Wages Earned *11.50 to 20.00* Piece ☒

Wages Expected *Piece work*

Kind of Work Done *Labor & Polishing*

Kind of Work Desired *Polishing*

Nationality *Polish*

Remarks *Good polisher on edge tools. Quit because we called him for smoking in grinding room.*

III Employes' record card. This gives an analysis of the man's record with us, and is used to make notes for future reference.

FORM III  
EMPLOYEES RECORD CARD

Dept. 18 Date 2/24 1917  
 No. 1831 Name *Sobritaki, John* Age 33 Address 4625 Milnor Street  
 Nationality *Polish* Languages Spoken, Eng. *A little* Read Eng. No  
Write Eng. No  
 Societies *Two* Married ☒ Children 3 Rate per Hr. *New Rate*  
 Single

Change of Wages	Date									
	Rate									

Employment ceased 5/17/18

✓  
Quit—Layed Off—Discharged

Cause *To go to Detroit*Remarks *May return. Gave week's notice. Good man—take him back if he comes.*

Approved O. K.

Signed *W. D. Plumb*

Approved

Signed

## IV Record card of work done and hours worked.

This card shows not only the kind of work done but the hours worked and the amount earned; in other words, it is a continuous payroll record for each particular man. This is valuable in our work as we are able to assort these cards by classes of work done, and quite often settle disputes as well as use them as a basis of records for the adjustment of wage rates.

In one case we stopped what seemed to be a serious walkout of twelve men, all working on the same kind of tools. They sent a delegation to the employment department with a request for more money, pointing out that the work was hard and that some men could make only \$14 to \$16 per week; that the men who made high wages were exceptionally able workers, and that their pay was not a fair basis for comparison with the average men.

By taking the cards of all the men on this particular work, our employment manager was able to show the delegation that the low wage men were not working full time but were the loafers of the department, and that on the basis of the hours worked they were earning as much per hour as the high wage men on this class of work.

The delegation was so convinced of the fairness of our position that the trouble died before it was born.

## FORM IV

NAME *John Sobritski*

Week	Description of Work	Hours W.O.		Reason for being out	Pay	
<i>3/1</i>	<i>Polishing A. E. Nail 1½ B. S. Hand 2 Engineers</i>	<i>30</i>	<i>22½</i>	<i>Moving Bonus .37 Day Rate 7.50</i>	<i>7</i>	<i>50</i>
<i>3/8</i>	<i>Polishing A. E. Nail 1½ " " " 2</i>	<i>52½</i>		<i>Bonus 1.31 Day Rate 10.50 Piece 2.65</i>	<i>13</i>	<i>15</i>

V Pass issued to workmen to leave the factory and reasons given. No workman can go out without a pass.

## FORM V

Dept. 18	Date 5/12/17	
Name <i>John Sobritski</i>	No. 1831	Reason
<i>Pass out at 10.15 and excuse</i>		<i>Work caught up.</i>
Dept. Head <i>John McMullin</i>	Supt. <i>H. T. Jackson</i>	



## FORM VI

VI Slip for a man who is discharged or quits. Must be signed by the employment manager.

No. 1831

Date 5/7 1917

Please pay to *John Sobritski*

Dept. 18

wages for week ending 5/17/18

Dept. Head *John McMullin*

Left ☒

Discharged

Cause *To go to Detroit to polish auto parts*

Empl. Agt. *William D. Plumb*

This slip must be signed by Employment Agt. if employe is leaving.

## SPECIFICATIONS FOR HIRING WORKMEN

While we have not gone far enough to indulge in psychological tests in the selection of workmen, and do not differentiate between blondes and brunettes, we have found it necessary to have certain standards for the use of our employment department, and from our experience we have drafted a partial set of rules and specifications to assist in selecting the right men for each particular job.

These rules are as follows:

## HIRING MEN

Be courteous; be patient; remember you have much to do with "labor's" opinion of the factory.

If we have the kind of work the applicant wants, give it to him, provided he is strong enough, does not seem to be a floater and has no infirmity.

If we haven't the kind of work he wants, try to interest him in something that is similar to it.

## WHEN HIRING MEN, DO AS FOLLOWS

I Ask them what kind of work they have been doing. If they haven't been doing any work similar to ours, ask them the kind of work they want. If they say *labor*, they are possible for following jobs, provided they come up to the requirements necessary for the several jobs: yard, trucking, grinding, tempering, polishing and heating.

If they ask for something in our line they are ready for application blanks.

II If applicant wants work in which we have no opening, or doesn't want work we have, do not bother with application blank unless he seems especially good.

III Make out, or, if they are able to do it, have applicants make out application blank.

IV If applicant wants work in our line, find out experience or reasons for wanting job.

V If applicant comes up to requirements, explain to him carefully: the job, the pay, the bonus system, the card system, the hours and the fact that he must give a week's notice before leaving to get pay in full, and that we hold back a week's pay. Finally tell him that the employment department is always ready to straighten out any misunderstanding he may have.

#### FOR GRINDERS THE BEST TO DRAW FROM ARE

*Nationality.* Polish, Lithuanians or Americans, experienced grinders, or Americans that want to try it after being told that the job is hard work, wet work and that the majority of the men are Polish, but the job pays good money. Ask them if they are ever troubled with their backs or rheumatism.

*Physique.* Generally strong and big boned. Some small wiry ones make good, but not many of them. Explain: must wear glasses, boots and aprons, which we furnish, for wet grinding, and for which they pay at the rate of \$1 per week.

*Forgers in Department 14.* Boys for back of press; must be at least eighteen years old, big boned, either American or American Pole. Remember that we want one that can work up to drop hammer.

*Heaters.* Men over twenty-one years. Used to working in heat. A man that has worked in a rolling mill or any forging shop. Either American or Polish.

*Drop or Pressmen.* Transfer good heater. No heaters available, get old forgers on foreman's list. No one available, take men over twenty-five with intelligence and strong physique.

*Handlers.* Americans over twenty-one. Men accustomed to using a hammer preferred, such as carpenter's helper or chipper.

*Finishers.* Girls sixteen or over. Americans or Italian, former preferred. Some experience in factory work. Neat about clothing, without cheap finery. Better if they are not "flirty" and live at home.

*Packers.* Americans, experienced packers preferred. In any case must be able to read and write well, must be reasonably neat, enough to show carefulness.

*Handle Belters.* Americans or Italian. Eighteen to twenty-five. Strong wrists and quick movers.

There are similar instructions in regard to other classes of employees, but these will be sufficient to show the extent to which we have gone thus far.

#### WHAT WE HAVE ACCOMPLISHED

When I asked our employment department what they had accomplished the answer was "Not much. We have hardly scratched the surface as yet."

Realizing that they had been in actual working order in their new building only since July, 1916, or a period of eight months, a search of their records hardly bears out such an answer, but when the problems to be solved are so many they evidently feel that what they have done is but a drop in the bucket. I propose to point out some of the things they have accomplished and leave it to your judgment if they are not at least on the way.

#### 1. A BONUS SYSTEM

The employment department found that one of the greatest evils from which we suffered was continued lateness, continued absence, and workmen quitting at the drop of the hat. To discourage these practices, and reward good workmen, they proposed and we adopted a bonus system as follows:

A. A workman receives an additional 5 per cent of his weekly pay providing he turns in a perfect weekly time card as to attendance. Excused only if sent home by foreman, or loses time due to injury incurred at factory.

B. Receives another 5 per cent for maintaining the standard of a good workman. It is assumed that all employes have maintained this standard, unless they are reported to the contrary by their foremen or the superintendents. This is deducted in extreme cases only.

C. While workman is credited with the bonus from the day he starts, he must work three months before he obtains it. If he quits or is discharged before this time he receives no bonus.

D. The bonus is paid by check, and a workman may leave his bonus on deposit with the firm, and receive 6 per cent annually, payable semi-annually.

We now have about forty-one bonus books on deposit. We have greatly improved the conditions, and feel that it has been a wise expenditure, but experience has proved that it needed stiffening and we have added a ruling that seems to be having the desired effect. The ruling is as follows, viz:

"If an employe loses time three weeks in succession except for reasons covered by provided excuses, he forfeits his rights to his entire bonus, until he shows a perfect time card for one week. He is notified that if he continues this delinquency, he is not considered desirable."

By showing delinquents how much they are losing in cold cash, by being late and losing time, they are made to realize that it does not pay.

## 2. REDUCTION FROM FIFTY-SEVEN AND ONE-HALF TO FIFTY-TWO AND ONE-HALF HOURS

During the period when men were so hard to get we tried to analyze the causes for men either not hiring with us or not staying with us and the employment department made the following report as to one of the contributing causes:

Our work from its very nature is hard and laborious, tiring men out compared with work in the average factory. We figure that in order to hold our men, and make our plant attractive to new men, it is necessary to reduce our week from fifty-seven and one-half hours to fifty-two and one-half hours, with no reduction in pay. We figure that it will not decrease our production, but will raise it.

After some discussion their report was adopted and on December 4, 1916, all day rates were raised so that the pay equalled or slightly bettered on a fifty-two and one-half hour basis the old pay on a fifty-seven and one-half hour basis. All piece rates were carefully analyzed and adjusted in every case where the shorter hours affected the pay of the producers. The results speak for themselves. The men felt better and appreciated our action. It is much easier to hire men than before. The weekly production, in one of our worst departments in spite of the shorter hours, has increased 18.4 per cent and in the entire plant 10 per cent.

## 3. REFORM WITHIN A DEPARTMENT

One of our departments demanded personal investigation, as we found it impossible to keep men or to maintain production. An analysis by the employment department showed poor shop conditions in many phases.

A. Inadequate artificial lighting at dusk, so bad that no one but the individual workman bent over his work could tell what he was doing. This part of room dark and cheerless.

B. Bad drainage in the rear of the machines, which were fed with water. The water collected in spots. This section of the department had a dank unwholesome smell.

C. The foreman was inefficient, had no control over his men, and therefore none over his department. He wasted most of his

time doing clerical work that he dragged out over almost the entire day. The men who worked under him were as a class heavy drinkers and independent, worked when they wanted to and quit when they wanted to.

The following remedies were suggested and adopted:

A. Improved lighting. One hundred watt mazda lamps were installed every twenty feet.

B. Drain was put in which took care of all excess water, relieving both the discomfort and odor.

C. The foreman was discharged, and a capable man from another department put in his place.

This move stiffened up discipline, and improved the personnel of the department.

D. The entire layout was inspected, safety guards put on all machines where there was any chance of a workman getting injured. Everything possible was done to make the operation of the machines safe and convenient for the men.

E. Two instructors were installed to teach new men.

F. All piece rates were carefully analyzed and prices adjusted so that there were no "good jobs" and "bad jobs." They were all made "fair and square jobs."

Rates were equalized and set so that men could make an average sum per hour on any kind of work done in the department. Since then there have been several adjustments and still a few to make, but we keep in close touch with the work, and "raise before we are compelled to." This is the department that increased production 18.4 per cent with five hours per week less running time, and last month had the largest production in the past three years. This attention to details has already proven it has paid, through the reduction in overhead per unit of production in this department.

#### 4. INTERVIEWS WITH MEN WHO QUIT

As all men are paid off through the employment department, even the men who quit without notice must return to the department to be paid wages due. All others must secure the signature of the employment manager if they give notice or are discharged, so we have a chance to interview all dissatisfied men and some of the results are illuminating.

When men quit or are discharged they have no reason for withholding information. Complaints are heard of nagging foreman, lost time in waiting for work, and other complaints bearing on shop efficiency. Those are investigated, and if the fault is with us it is remedied.

These complaints brought to light the weakness of one of our best foremen. He always had a "chip on his shoulder," approached his men with that attitude and caused a great deal of friction before this fault was discovered. A talk by our superintendent convinced him that while that sort of attitude may have been all right ten years ago, "it can't be done" now. Another man quit, and on being asked for reasons, stated that he had to lose too much time waiting for one indispensable tool, and for material for his work. Likewise was advised that his work was O. K. by one inspector, only to finish it up and have half a day's work thrown back by another inspector. An investigation proved that the man was justified; the case was settled, and the man is still with us. As he was an experienced hand in the department in which I stated it cost us \$100 to "break in" a new man, it looks as though this was a fair day's work.

#### 5. TRANSFERS IN THE FACTORY

This was something never attempted. If a man did not suit his foreman, he was fired and no questions asked. Now we look into unsatisfactory cases, try to find the cause, remedy it if we can, and if we can't, try to locate the unsatisfactory man in another department. We have one young man, of undoubted ability, good personality, pleasant and obliging. He became a regular Monday absentee, took all that was told to him as a reprimand with a lackadaisical air, and had evidently lost his "pep." We found upon investigation that he was fast becoming disgusted with his outlook, and felt that he was up against a blank wall. We transferred him to a semi-executive position in another department, gave him larger responsibilities, and a larger salary, and he has more than made good. Another man was a boss trucker, who made a flat failure of the job. He was then made head inspector of one of our hardest departments, and has done wonders in bringing up the general efficiency of the department. He was temperamentally unfitted for one job, and fitted for the other.

## 6. ACTUAL ACCOMPLISHMENTS

I will not inflict upon you any details of labor turnover, but will simply point out the reduction in the number of men who quit since the department has been in operation. Taking April, 1916, as a basis, during the month of July, one of our worst months on account of heat, the number of men who quit was reduced 25 per cent. This work has been steadily improving and in January, 1917, the reduction on the same basis was 48 per cent. Since the installation of the employment department, we have decreased our working force 10 per cent, reduced our working time almost 9 per cent, and increased our total shop production 10 per cent.

## 7. INDIRECT BENEFITS

When we first started the employment department our men looked on it with suspicion, as being another one of the things the boss was trying to put over on them, under the guise of service. This attitude of mind is common, and is no more than is to be expected, because of the past relations of employe and employer. Vanderbilt's phrase, "the public be damned," has been paraphrased over and over again with the "men be damned" and the "boss be damned." Recollect that this feeling has been handed down from father to son, and is bred in the bone. It is the survival of the days when "to the victor belongs the spoils," and "might is right."

We are now on the threshold of better things. Employes know and workmen are learning that their interests are identical. One cannot be prosperous without the other. This, however, is the new viewpoint, and has only made headway within the past ten years, and we cannot expect to wipe out generations of suspicion and misunderstanding over night. Our employment department has adopted as its motto, "put yourself in his place," patiently listens to complaints, and does not make the common error of believing that lack of education actually means lack of knowledge. Workmen do not put their kicks in the purest English, although sometimes they adorn them with the strongest. Our men have learned that the employment department is built for them, that it is a place where they get a square deal, and that they will be treated right on all occasions.

To show you how far we have gone I will cite the way disputes were handled before and have been since the creation of this depart-

ment. Formerly men would stop work in a bunch demanding something, and refuse to return to work until it was granted. In one case they gave us one hour to consider a question involving fifty men in one department, and before we had time to even digest the demand the hour was up and they walked out. Since April, 1916, we have had no strikes and no threats. We have had two requests, and the men have stayed at work until a decision was reached. If our employment department had done nothing but produce this feeling of personal responsibility to each other on the part of the men and on the part of the firm, it would have justified its existence and its cost.

In conclusion I feel that in the study of employment problems we are trying to solve issues ages old, and while the reward is great from the standpoint of efficient factory management the reward is still greater if we can but help to solve the principle of humanity involved, and so insure that coöperation without which we can make no progress, and with which the watchword will be "prosperity for all" and not "prosperity for one."



## THE REDUCTION OF LABOR TURNOVER IN THE PLIMPTON PRESS

BY MRS. JANE C. WILLIAMS,

Employment Manager, Plimpton Press, Norwood, Mass.

The manufacturing of books is the business of The Plimpton Press and this industry is divided into three classes of work: type-setting, printing and binding. About seven years ago, the Taylor system of scientific management was introduced, and at the same time, an employment department was established, whose immediate object was to centralize in one department the hiring, disciplining and discharging. As the new system of management by gradual processes effected economics in the cost of production, so the employment department enlarged its scope and in time became responsible for savings in the human cost of this industry.

One of the early results of the improved methods of handling materials, routing, etc., was to show that the plant was overmanned and the number of people employed was reduced from between 800 and 900 to approximately 500. This change took place over a period of three years and was not brought about by discharging. When an employe left, he was not replaced by hiring a new worker, but by transferring from within. The working force at the present time numbers about 500, 300 of whom are men while 200 are women.

The management of The Plimpton Press, realizing that a large part of the workers' lives is spent within the factory, endeavors to make the surroundings acceptable. The work rooms are high and there is no crowding of workers; in fact, more space is allowed to each person than usually is found in offices or class rooms. This fact of ample room, especially around each machine, accounts in large measure, we believe, for the low percentage of accidents. The work rooms are well supplied with windows and these furnish proper light and ventilation. The entire lighting system, both natural and artificial, has been studied by experts, and work benches and machines are so arranged that no eye strain can result to the workers.

The nature of the work is clean and there is an ample force constantly at work to keep the factory clean. This effort meets with

much approbation on the part of the people who readily complain at any omission. The lighting, ventilation and cleaning are a part of the responsibility of the factory nurse.

#### THE WORK OF THE NURSE

A trained nurse is in charge of the hospital, including an office, a rest room and a surgical room, located in the central part of the factory. Here all accidents and illnesses are cared for. The accidents consist chiefly of minor cuts and bruises, and since these are given proper care at once, the danger from infection is minimized and very little time is lost to the worker because of accident hazards. The book-binding industry, owing to its use of heavy machinery, is not as a whole free from maiming injuries. The low percentage of such injuries which we have experienced in the last eight years, we believe is due to the following causes: proper lighting, ample work space, guarded machinery, care in selection of operators and freedom from hurry.

In addition to the first-aid service, the nurse performs much preventive and educational work in the plant and social service in the community. The personal contact resulting from the various activities of the service department has made it possible to get in touch with home conditions. The visiting of homes was brought about gradually and at first only by the expressed wish of the individual. Now such visits are welcomed and the nurse visits all who are away from work more than one day.

The results of the work of the nurse cannot be overestimated. She has opportunities for closer relations with workers than has any other person. She hears directly and indirectly of dissatisfactions which would not otherwise be known. When her vision is broad, she brings about a sympathy between the viewpoints of the employer and employee.

#### PROBLEMS DUE TO SEASONAL DEMAND

A large part of the work done by The Plimpton Press is the making of school text-books, and the seasonal character of this work is due to the fact that school boards make their adoptions late in the school year. In consequence, the peak of the production curve occurs during July and August and the lowest point during January and February. This in turn affects the workers, as some reduction

in the force and in the hours of employment is inevitable. Every effort is made by the sales department to counteract this condition by procuring work for the dull season and a measure of success is resulting. Besides this, the following methods have been adopted: every worker is taught several operations so that he may be transferred from one department to another as the work fluctuates; the minimum force is retained as the permanent force; and this force is increased only when absolutely necessary. In this minimum force, there is very little turnover, 81 per cent of the entire number having been in the employ of the The Plimpton Press over five years; 27 per cent, over ten years.

The work hours are from 7:30 to 5:15, or eight and three quarters hours daily, with one hour allowed for lunch, except on Saturdays, when the hours are 7:30 to 11:45, making forty-eight hours per week. This applies to all workers. There is very little overtime and no Sunday or holiday work.

Rest periods of ten minutes morning and afternoon are given to routine workers, such as monotype keyboarders, gold layers and the accounting force, and during this time the windows in these rooms are open. These periods also furnish an opportunity for the worker to take some exercise.

#### SOURCE AND NATURE OF THE LABOR SUPPLY

The Plimpton Press is located in a community which is able to furnish a large part of the necessary supply of labor. The policy of filling vacancies by promotion within the ranks results in the hiring chiefly of unskilled workers who usually are young. Through friendly relations with the public school officials and teachers, a valuable source of supply for this type of employe is available. Another equally helpful source is found in the present workers who are glad to recommend their friends. In addition, many applicants come of their own accord to apply for work, so that there is a long list of applicants ever available. Under terms of agreement with the trades unions, they have the privilege of supplying workers from among their number, provided they can fill the requirements. If a skilled worker is hired, he usually is obtained in this way.

All candidates for work, except porters, must be English-speaking and have the equivalent of at least a grammar school education.

Each applicant is interviewed by the employment department and asked to fill out an application blank which is kept on file. On the back of this form are later written the impressions of the interviewer and such other information as may indicate the desirability of the applicant. In this interview, an effort is made to make the applicant feel at ease in order that we may judge of the natural person. It is most desirable to know something of his tastes, his natural aptitudes and his ambitions. One of the chief purposes of the interview is to determine the probable attitude of the worker toward the organization. A person is never hired on the day when he first applies for work, as it is desirable to consider the applicant apart from the first appearance which he makes.

In order to get at just the requirements necessary for each job, work is now being done on "job analyses," which means a careful analysis of each particular job in its relation to each particular worker. This includes, besides the time study of the job, a careful study of the home conditions, temperament and age of the worker, all physical surroundings of the workplace, such as air, accessibility to toilets, rest periods, possibilities of sitting, ventilation, light, noise, any nervous strain resulting from the nature of the work, methods of payment, relations of this job to the rest of the organization, and all other features which may make that job different from any other job. This job analysis should show just the proper requirements for the best kind of worker on that particular job, and enable the employment department to choose that individual who will suffer least from working in that particular position, as well as bring the best results in point of production.

The efforts to steady employment by transferring workers from one department to another as work fluctuates necessitate, in making a selection of a worker, the consideration of two factors: first, the adaptability of the worker to the particular job in question; and second, the adaptability to the two or three other jobs at which the applicant may be called upon to work; that is, given two applicants, one especially well adapted to the particular job for which he is being considered, the other, though not so well adapted for that particular job, better fitted for the group of jobs at which he may be required to work during dull periods, the selection would be made of the second worker.

## INITIATING A NEW EMPLOYEE

It is the purpose of the employment department when hiring a new worker to tell him something of the general policies and standards. The candidate is then taken to the factory nurse, who questions him in regard to his health and who explains some of the special features of the service department. If the applicant is a girl, she is introduced to the head of the department in which she is to work. She is also taken to her workplace, introduced to those who will become her fellow-workers, given a key to a locker, and told of such other features as may be desirable for her to know. If the person hired is a boy or a man, he is taken to the head of the department, who in turn takes him to his workplace and follows a similar procedure. The first impression made upon the employe is most important, as at no other time is his mind so open.

The group boss in charge of any group of workers, which in practice does not number more than ten, is responsible for all instruction in regard to the work to be taught to the new employe. There are also written instructions relating to the performance of all tasks. Responsibility for all other training and education rests with the employment department. In this field of activity, the aim is to assist the employe in developing his own abilities and in discovering latent capacities if they exist, and to make opportunities for their use in this plant if possible. It sometimes happens that this business does not furnish the best avenues for future growth and in these cases, attempts are made by this department to find the right environment for the worker elsewhere.

The employment department keeps in touch with the newly appointed employes by interviewing them at least once a month to see that they are fitted for their work, are given such assistance as they may need, and to find out how they react to the work. A record is kept of each employe from the time of his employment. Information in regard to age, education, marriage, parentage, nationality, number of dependents and previous employment is obtained from the application blank. Dates of increase in pay, transfer, etc., together with reasons for the same, are entered as they occur. On the back of the sheet, spaces are provided for entries, once every thirteen weeks, for:

(a) An estimate of the excellence or the reverse of the discipline which the worker has maintained;

(b) His efficiency as determined by his bonus earnings in departments where a bonus is paid;

(c) The name of the group boss in consultation with whom the employment manager has formulated his report;

(d) The total number of hours during that period the individual was employed, the hours he was out on his own time, and the bonus hours he made;

(e) His total earnings as shown by the payroll. Space is also provided for items concerning the worker which may affect his work, such as home conditions, etc.

It is with a view to finding out what the average weekly wage per year is for each worker that this record is made, which shall show quarterly the exact amount of money each one has actually taken home during that period. It does not so much matter to the worker what his rate per hour or per week may be. The important thing to him is the amount he earns over a period of time. A man's hourly rate may be high, but if he has short time, his wages are still small. Unless actual figures covering a definite length of time are periodically brought to the attention of someone whose business it is to safeguard the interests of the employe, many maladjustments of wages escape even a well-intentioned management which believes wages are high because rates are so.

It is the custom to consider each employe once at least in every six months to ascertain whether or not he is deserving of an increase in pay, and if he is, it usually is granted. If he is not deserving of an increase, he is interviewed and the reasons for withholding the raise are talked over with him. This increase in pay continues until the rate equals the union scale.

#### DISCHARGE AND DISCIPLINE

The authority for final discharge rests with the head of the employment department. Group bosses or others in authority may recommend for discharge and, if upon investigation of the case in hand and presentation of proper data on both sides, it seems desirable that the worker be discharged, it devolves upon the employment manager to perform that duty. Individuals may, if they feel that the decision is unfair, take the matter to the works manager, but this privilege has never been used. An employe has the privilege at any time of taking a complaint to the employment department or works manager.

Discipline is reduced to a minimum by the system of manage-

ment which is self-disciplinary in its operation, but such matters as require discipline are usually attended to by the employment manager. A joint committee to consider all grievances brought before it has worked well. This committee consists of a union representative, usually the president of the local union, a representative from the department where the grievance occurs, the works manager, who represents the firm, and the employment manager, who is a neutral party on the committee. A great variety of subjects are brought before this committee, as for example, such questions as certain piece workers doing a little extra work during the noon hour, rearrangement of locker rooms, distribution of work, and similar matters. Questions of pay which are not concerned with union agreements, but merely affect a special piece of work, are also brought up for discussion at these meetings. So far all grievances have been discussed and settled on a basis of facts and to the mutual satisfaction of all parties concerned. The great benefit resulting from these meetings has been the training of the members to look at the various questions from point of fact rather than from tradition or someone's personal opinion. Once facts are established, there is seldom any argument as to the right action.

#### IMPORTANCE OF MAINTAINING CLOSE CONTACT

Realizing that any group in society advances only as its individual members advance, the employment department endeavors to know each worker individually, and this is brought about not only by direct methods, but by other avenues which it has at its command for getting into close touch with the employees. An important channel is the library, consisting of several hundred books of nearly every description. Fiction is most sought for, of course, but there is a demand for technical books, travels, music, art, etc. Foreigners are often very glad to be shown what kind of books to read, and it is possible frequently to give them almost a graded course. Many of them read philosophy, history, economics, etc., and are grateful for help in the selection of their books. Others of course need a much simpler line of reading, but follow suggestions readily. Technical and trade magazines are sent monthly to those likely to be interested in the special contents.

As a result of observation of the faulty habits of diet prevailing among those who brought lunches, the project of establishing a lunch

room was discussed with a number of the employes. The idea met with such hearty coöperation that three years ago a small lunch room was started. Food is served at cost, and, with the exception of the cook, service is voluntary, being given by members of the office force. Practically no one suffering from indigestion now reports to the hospital in the afternoon.

Recreational activities outside of the factory are not now carried on. Norwood has a civic center of exceptional excellence where gymnasiums, swimming pool, bowling alleys, dance halls, club rooms, sewing and millinery classes, etc., are open to all by the payment of a small fee.

The employes, with the coöperation of the management, have organized two voluntary associations, The Plimpton Savings Bureau and the Plimpton Mutual Benefit Association. The management of both associations is controlled entirely by the employes.

#### THE OPERATION OF THE SAVINGS BUREAU

The Savings Bureau was founded with the object of promoting thrift among the employes, 80 per cent of whom are members. Annual deposits total usually about \$15,000 and the present balance is \$11,000. A depositor is required to pledge a stipulated weekly amount of from ten cents up, but he may deposit as much more as he chooses any week. Withdrawals may be made at any time. Each department has its own collector and collections are made on the weekly pay day. Interest on deposits is paid at the rate of  $4\frac{1}{2}$  per cent per annum. Many people save money for their insurance, rent, other periodic bills, vacations and Christmas in this way. Depositors may borrow sums not exceeding \$100 upon furnishing proper security. Where workers have fallen victims to loan sharks, installment buying, etc., it has been possible in many cases, to make arrangements, by means of weekly deposits in the bank, to pay off these debts. At the same time, the man learns something of thrift in saving for future needs.

As an example of the kind of work that has been done through the bank, the following illustration may be of interest. A man who had been in our employ for a number of years and whose work was proving more and more unsatisfactory, finally had three assignments upon his wages come in almost simultaneously. In taking the matter up with him in an effort to make an arrangement so that he could



obtain releases by paying into our bank a small amount on each one of these assignments weekly, he finally disclosed the condition of his home finances. He was very heavily in debt and was endeavoring to pay on about twenty back bills which covered a term of at least five years. Much of his money had gone foolishly, some of it for liquor and other equally unnecessary expenses, and both he and his wife had reached a hopeless state of mind. We were able to suggest many economies to them and help them make up a budget so that they saved something weekly in the bank for all monthly expenses, such as rent, insurance, and something toward all back bills. In a year's time, he had paid up two-thirds of his indebtedness and his work had improved sufficiently so that he had been given two increases owing to his added value to the business. He is now considered one of the best workers in his department. Although not an habitual drinker, he had been in the habit of celebrating on holidays. The instilled interest in his family affairs and expenses in contrast to his former indifference replaces his need for occasional dissipation.

#### THE MUTUAL BENEFIT ASSOCIATION

The Plimpton Mutual Benefit Association was organized six years ago to provide a sick and death benefit for its members. It is entirely self-supporting. Each member pays fifty cents monthly and may, upon presentation of a doctor's certificate, receive benefits of \$7.50 per week for thirteen weeks, with a possible additional benefit for thirteen weeks more of \$3.50 per week. In case of death, the beneficiaries receive \$75.

All employees are insured under the Workmen's Compensation Act and each case in which compensation is due is carefully followed up by the nurse to see that full benefit is received. Compensation for accident, other than payment of hospital and doctor's bills, does not begin until two weeks from the date of injury. Realizing that many injuries do not require two weeks' absence and that loss of pay for the first two weeks is often the hardest part of the burden of accident, The Plimpton Press pays full wages for these two weeks to its injured employes when such injuries are not caused by wilfulness. The Press also furnishes at the local hospital a free bed which may be used by employes and their families.

An agency for insuring with the Massachusetts Savings Bank

Life Insurance is maintained. This is a state organization and furnishes insurance at a minimum expense.

#### METHODS OF PAYMENT

Four methods of payment operate in this plant:

- (1) Salaries: These are paid to the office and administrative force.
- (2) Hourly rate: These are paid to nearly 50 per cent of the entire force.
- (3) Task and bonus: Task and bonus is paid to about 43 per cent of the force. This method consists of a flat wage rate which the worker receives in any case. In addition, a worker is given the opportunity to earn an additional amount by performing satisfactorily a certain fixed task.
- (4) Piece rate,

Weekly rates of pay for women in the bindery working on an hourly or task and bonus basis are from \$6 to \$9.12 plus task bonus, which amounts to from \$1 to \$2. Piece workers average about \$15 for a full week's work. The weekly rates for women in the composition department range from \$6 to \$22. In all departments the range is from \$6 for the younger boys to \$23 for journeymen, according to the operation each performs.

#### THE PROBLEM OF LABOR TURNOVER

Since 1912, the percentages of the labor turnover have been as follows:

1912.....	.186	1915.....	.13
1913.....	.22	1916.....	.35 (of this, 22
1914.....	.18		per cent was to increase the force
			and 13 per cent to replace losses.

The problems of turnover so far as they affected this establishment had been successfully dealt with until the year 1916. This year presented entirely new problems and efforts to solve them are now being undertaken. A large percentage of the increase in turnover was among the unskilled workers. Among the new aspects the following are most prominent:

- (a) The abnormally high rates of wages paid to unskilled labor drew many of this class to the cities and to other plants working on war contracts. We were unable to equal the rates.
- (b) The unusual demand for labor made a scarcity of this commodity and as our busy season begins much later than those of other

industries in our locality, the best workers had been engaged before we went into the market. Consequently we were forced to hire a lower grade of help than in former years and they, in many cases, proved undesirable or unstable. There are two possible solutions to this problem—either to retain a larger working force or to increase our force at an earlier date.

(c) In accordance with agreements with the unions, they are given the first opportunity to furnish skilled workmen. This operates well when the union headquarters are in the same locality, but when they are in the city, as is the case with the Typographical and Pressmen's Unions, they furnish unstable force. Workers sent out to small towns naturally return to the city as soon as the opportunity presents itself. This problem brings up the question as to the advisability of training an even greater number of our own employes.

Every industry has problems of employment peculiar to itself, depending in a degree upon the nature of the work, but more especially upon the character of the personnel of the organization. Here innumerable variables enter. Policies which are welcomed by certain classes of society would quickly offend other classes, but in any organization success can come only in the measure of the spirit of coöperation. No class of person likes to be ruled and consequently a democratic internal organization proves to be most satisfactory. On the worker's side, the fact of his having a voice in government increases his self-respect and makes him more ready to take a sporting chance on the results. On the side of the management is the possibility of utilizing the vast fund of experience to be found in the ranks of the workers. Both sides gain the added strength of unity.

## THE STANDARDIZATION OF WORKING ESSENTIALS

BY LILLIAN ERSKINE,

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In collaboration with

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Next to the questions of wage, hour, and the substitution by the management of a spirit of coöperation for the military spirit of command, no factor contributes more to the reduction of the labor turnover than that of sanitary and hygienic working surroundings. Contrary to general belief, these need not be the monopoly of the newly built factory.

While the most recent standards of construction offer many advantages (especially along the line of natural ventilation and economic lighting), nevertheless, by means of mechanical exhaust systems, scientific illumination, and the installation of simple but adequate types of sanitary facilities, practically every handicap imposed by earlier structural defects may be overcome by the progressive employer.

Today there is no reason why the old-fashioned plant should not hope to hold as steady and efficient a force as its "model" competitor. Experience has shown that even the most costly alterations to improve the conditions of working premises eventually pay for themselves in increased efficiency of output, in the steadying of labor, in the reduction of time lost through illness and intemperance, and in a more uniform excellence of production. The employer who allows himself to be discouraged by apparent difficulties from furnishing the minimum hygienic requirements in his plant, must be prepared to compete at a disadvantage with those who (unlike himself) are getting a fair return in work for the wage they pay, from a non-shifting, contented, and physically fit working force.

The physical needs of the worker are no longer subject of speculation. We now know that the immemorial handicap to industrial efficiency is the fallacy that industry profits by gambling with the

limitations of the human body. The unregulated turnover (especially in the unskilled trades) has fostered our reliance on force, (which is measured by hours), rather than on strength, which should, be measured by years. In the skilled trades it has reconciled the American employer to a negative, rather than a positive, standard of health.

But the steady force in the regulated industry can only be made up of men capable of giving service six days out of seven. Moreover, they must give a uniform service that guarantees a steady, rather than a fluctuating, flow of production. And since the effect of the working environment upon the body of his employees is of incalculable importance to the employer, the standardization of hygienic essentials must be ranked by him with the questions of wage and hours, if the wastage of the turnover is to be satisfactorily eliminated from his plant.

#### GENERAL VENTILATION

Fresh air is the prime requisite for the conservation of physical efficiency. In an eight-hour day the worker breathes from 250 to 350 cubic feet, according to the vigor of his muscular exertion. How basic is the relation between vitality and the normal lung function, may be realized from the fact that respiration during the average workday represents an expenditure of energy expressed by the lifting of seven tons one foot. Whether, during those eight hours, there shall be a normal balance maintained between his expenditure of energy and the recuperative cell-building processes in his body, or a steady depletion of vitality and the accumulation in his system of the poisons of fatigue, depends largely upon the supply of oxygen in the air of the workroom. The body so poisoned is incapable of maintaining a 100 per cent efficiency of output, however desirous of good results its possessor may be. Above all, the body filled with poisons generated by the fatigue of lung-starvation craves a stimulant with increasing insistence at the end of each succeeding day.

Not only should air be reasonably pure, but in order to promote steadiness of output, it should never be allowed to stagnate, however ample the dimensions of the workroom. A lassitude that cannot be conquered, often characterizes departments where air space per capita is so far in excess of ordinary requirements, that systematic ventilation has been judged unnecessary. The forces of the

body may be said to act as secondary lungs; and scientific experiment has proved that these normal functions cannot be satisfactorily performed except under the constant stimulus of an air exchange that avoids extremes of temperature.

Unfortunately, for seven months of the year, reliance cannot be placed on direct ventilation from windows or skylights of the ordinary type. In every department a handful of men will be found who insist on working in an hermetically sealed room. One of the most costly handicaps of modern concrete or other tightly constructed factories is the fact that they are not practically self-ventilating in winter, as was the case with most of their rambling, loose-jointed and unsightly predecessors. The problems of maintaining adequate and draughtless air exchange, therefore, are of importance to the occupier of "model" premises, as well as to the employer in the old-type plant which has outgrown its quarters. And both must choose between the customary slow and costly decline of vitality on the part of their working force during half the year; or between a perpetual struggle to maintain so-called "natural ventilation" in their workrooms, in preference to the equable and reliable air-exchange guaranteed by a standardized mechanical exhaust system.

While an elaborate system of air conditioning may be essential in trade processes demanding absolute freedom from dust and uniform temperature; and while all heat-generating units should be provided with individual exhaust equipment that will remove the heat at its point of origin, the ordinary workroom does not require a costly ventilating installation, or one that calls for high expenditure of fan power for its operation.

The great essential is to maintain a satisfactory balance between the air drawn from the room, and the fresh air admitted to take its place. If the ingress openings be some three times the area of the egress openings; if they be uniformly distributed, and the air admitted be conveyed over warmed steam coils; the problem of a draughtless ventilation during the winter months should be solved to the satisfaction as well as the physical advantage of the workers. It must be borne in mind that the extreme of scientific air-conditioning is rarely popular among those in the shop; and, except in processes where the admission of outer dust or a radical change of temperature is fatal to the product, it is wiser to omit arbitrary pro-

hibition against an occasional opening of windows; even though the perfect operation of the exhaust system may be temporarily hampered thereby. The gradual education of the worker as to the benefits of clean air, and as to the best means of obtaining it in the factory during the cold season, is worth the expenditure of at least as much time on the part of the management, as that everywhere devoted to his education in the care and upkeep of equipment and tools.

In the case of heat-generating units, general ventilation affords no adequate relief to those directly exposed to radiation. A satisfactory type of hood consists of an inner and outer skin, with a free air space of several inches between the two; through which the air of the room is pulled at a velocity of several hundred feet per minute; thereby creating a layer of continually tempered and practically non-conducting air, between the hot inner hood and that next the workroom.

In certain incidental processes where the necessity for draughtless ventilation in limited areas makes mechanical ventilation unsatisfactory, it will be found that the adoption of muslin in lieu of glass in the lower panes of the ordinary window, gives relief from the dead air commonly endured. A medium grade muslin of light color is a better non-conductor of heat than glass. If it be renewed at intervals, it will not prevent a free exchange of air, or lessen the diffusion of light.

In the ventilation of foundries, (once one of the most difficult problems in industry), it has been proved that a type of construction either providing windows the entire length of the side walls of the building, with additional tiers in the roof monitor extending the full length of the structure, or a patented type of construction with an inverted roof-peak, movable side sash, and the standard window lighting area of 40 per cent of the floor space, insures satisfactory removal of smoke and gases; and provides (if vestibule entrances be insisted upon), a reasonably draughtless moulding floor.

It should be noted that the best results are obtained from pivoted monitor windows, (whatever be the industry), when they can be opened at full length; so that they may be changed from a vertical to a horizontal position. This swing through an arc of 90 degrees permits advantage to be taken of the direction of the prevailing wind; so that the strong air currents from the outside may create an upward draught by blowing over and through the monitor

itself, instead of down through the foundry or workroom, thereby counteracting the natural upward tendency of smoke, heat and gases.

#### DUST REMOVAL

The presence of animal, vegetable, metallic, or mineral dusts in the air of the workroom is a menace to the self-respect and vitality of the worker. (When such dusts are, in addition, of a cutting or poisonous character, their hazard is increased a hundredfold.)

When it is remembered that at each breath some sixty cubic inches of dust-laden air may be inhaled by a worker, the ultimate injury possible to the twenty square feet of surface of the 500,000,000 air cells of his lungs becomes apparent. In the case of buffers, grinders, and polishers, (before the days of mechanical exhaust protection), the tuberculosis mortality of the group exceeded 60 per cent, in contrast to the normal 14 per cent for the general registration area. Printers, subjected to lead dust and fume, show a consumption mortality in the neighborhood of 70 per cent. Almost as high are the records of potters exposed to flint dust, and of mill workers subjected to clouds of irritating wood dusts.

Aside, however, from questions of health, a dusty workroom inevitably lowers standards of shop discipline and output; induces chronic intemperance, (due to thirst engendered by congestion of the mucous membrane of the throat), and a general sense of physical malaise and depression; and commonly increases friction in personal relations with the foremen, among those whose normal recuperation from physical and nervous fatigue is made impossible by the unsanitary conditions of their working environment. While the direct financial loss involved in the waste of a majority of dusts and fumes in the workrooms is not of serious moment to the management, the indirect losses above noted justify the most rigid precautions for their control.

The secret of successful mechanical exhaust removal of dust and fume from working processes lies in its control at the point of origin. While this was once regarded as impractical in many industries, modern engineering experience has solved practically every working problem, whatever be the specific gravity of the dust or fume in question.

One of the greatest handicaps experienced by the manufacturer has been the vague character of the sanitary requirements in vogue



in different states. The terms "adequate" and "sufficient" have left him free to expend thousands of dollars on experiments, the results of which have too often given little of the protection to the health of the worker promised by irresponsible contractors. The defects in such installations result in most cases from too small trunk lines, thereby increasing skin friction; bad angles, inducing blocking of the pipes; overloaded fans; and poor construction materials.

The usual and inexpert practice in building a dust exhaust system, such as is required for buffing, polishing or grinding wheels, is to proportion the main suction pipe so that at all cross-sectional points it only equals the combined areas of the branch pipes entering the same; while the inlet of the exhauster used on such a system has an area that but equals the combined areas of all the branch pipes used on the system. } For example, for twenty-five four-inch branch pipes the largest diameter of main pipe and exhauster would be twenty inches. A fifty-inch exhauster would have an inlet twenty inches in diameter; if it were necessary to get a suction-head at each branch pipe sufficiently strong to displace two inches of water in a pressure gauge (commonly called a U-shaped tube) it would require an actual velocity of 4,000 lineal feet per minute in the branches, and it would be necessary for the exhauster to handle 8,720 cubic feet of air. It would require approximately sixteen horse power to obtain these results.

This kind of a system should no longer be permitted. Standards based on actual working tests and experience prove that efficiency requires for twenty-five four-inch pipes a main pipe with, at all its cross-sectional points, an area 20 per cent larger than the combined areas of branch pipes entering the same. The inlet of the exhauster attached to the system must have an area 20 per cent larger than the combined areas of all branch connections on the system. For example, a system having twenty-five four-inch branch pipes would require an exhauster that has an inlet twenty-two inches in diameter; and the main pipe connected with this exhauster would taper, in accordance with the location of the branches, from the exhauster to the tail of the system. This kind of system would require a fifty-five-inch exhauster having a main pipe twenty-two inches in diameter; and to obtain a suction sufficient to displace two inches of water in a U-shaped tube, the air in each branch pipe would be obliged to have a velocity of 4,000 lineal feet per minute. The

exhauster would handle 8,720 cubic feet of air a minute; and the exhauster would take about twelve horse power to operate it.

While a distinct saving of 25 per cent in horse power is thus gained, this advantage, though important in itself, is greatly enhanced when it is understood that it is practically impossible to obtain a uniform suction in a system where the main duct and the exhauster inlet are based on areas equal to the combined areas of the branch connections.

The fact that a fifty-five-inch exhauster requires less horse power than a fifty-inch exhauster is due to the decreased friction in the twenty-two-inch main pipe, as compared with a twenty-inch main pipe, a decrease of strain which permits a lower speed and pressure. This saving in power should in itself be sufficient to decide the character of a blower installation. It has been demonstrated that blower systems built in accordance with the latter standards are more economical in point of operation, as well as more efficient in caring for dust.

Not only has general faulty construction delayed the achievement of satisfactory dust removal in a large range of industries, but employers have overlooked the fact that unless appropriate material be employed in blower systems, and every detail of construction aid the flow of air generated, desired results cannot be achieved, nor can they be maintained through a reasonable life of the system.

#### MATERIAL AND CONSTRUCTION DETAILS

All systems, except those handling acid fumes, should be made of galvanized sheet steel. For systems handling acid fumes the base material should be coated with an acid-resisting composition, or be made of tile or earthenware.

Table No. 1<sup>1</sup>

Diameter of Pipe	
8" or less.....	No. 24
9" to 16".....	No. 22
17" to 24".....	No. 20
25" to 30".....	No. 18
31" up.....	No. 16

<sup>1</sup> It should be noted that the metal used in Table No. 1 is of lighter weight in accordance with the diameter of the pipe than in Table No. 2. Heavy dusts, that rapidly wear out the resisting surface should be conveyed in accordance with the specifications of the latter.

Table No. 2<sup>1</sup>

## Diameter of Pipe

8" or less.....	No. 22
9" to 16".....	No. 20
17" to 24".....	No. 18
25" up.....	No. 16

All elbows should be two gauges heavier than the pipe to which they are attached.

*Riveting.* All straight seams should be riveted with tinned rivets placed on not more than three-inch centers.

All round seams should be riveted as follows:

## Diameter of Pipe

4" to 8".....	4 rivets
9" to 12".....	5 rivets
13" to 18".....	6 rivets
19" to 24".....	7 rivets
25" and larger.....	9" centers

Where straight seams are made by means of a "groove or lock seam" riveting will not be necessary.

*Soldering.* All seams should be soldered air tight and edges coated.

*Laps.* All piping, etc., should have at least a one-inch lap placed in the direction of the flow of air.

*Elbows.* All elbows should be made on a radius in the throat of not less than one and one-half times the diameter of the elbow. No internal crimped edges should be used.

*Collars.* All pipe collars should enter the main pipes at an angle of forty-five degrees, and should be riveted and soldered to the main pipe.

*Blast Gate.* Every branch pipe should be fitted with a malleable iron blast gate with a slide attached to the gate.

*Telescope Slip Joints.* All telescope slip joints should be made with a wire edge or band iron. Slip should be two gauges heavier than the outside pipe, and provided with a fastener to hold same in position.

*Fan Inlet Connection.* At the point where the piping connects with the suction side of the exhaust fan, there should be a detachable sleeve.

*Automatic Fire Dampers.* Wherever piping passes through a wall or floor or from one building to another, an automatic fire damper should be placed in the wall with blade of damper pointed toward the line of suction, and should be so hung on a fusible link that in case of fire the damper will drop into position and close the pipe.

*Dust Separators.* All exhaust fans handling dust or waste material should discharge into a dust separator which will separate the dust or material from the air. While it is not practicable to specify any particular dust separator, it is necessary to warn against installing a separator of too small a proportion as the resistance on the fan not only greatly increases the amount of horse power required, but also reduces the suction that should be obtained.

*Supports.* Separators should be set in structural steel frames and all piping suspended or supported with iron braces. All piping should be braced and supported at least every ten feet.

While in special installations the nature of the dust handled and its specific gravity and quantity may require a greater or less velocity of air, the minimum standard pull required for the average factory process demands that sufficient suction head shall be maintained in each branch pipe within fifteen inches of the hood, to displace two inches of water in a U-shaped tube.<sup>2</sup>

Aside from variations in the type of hood, and the air velocity required, all mechanical exhaust installations should conform to the standard details enumerated above.

#### FUME REMOVAL

In the case of processes generating fume, such as pickling, metal dipping in acid or alkali solutions, metal plating, involving cyanide fumes, and a wide range of nitrating operations, a special type of wooden, or metal box-like duct may be satisfactorily employed. This should extend along and above the back of the trough, or tank, or row of crocks; and should incline out and up from its narrow base of seven inches, at an angle of 115 degrees above the rising fumes.

The essentials of construction require that:

I—The main duct should have a cross sectional area at least equal to one-half the combined areas of exhaust openings.

II—The bottom of the main duct should be seven inches wide, and that the front should incline at an angle of 115 degrees to the bottom.

III—The exhaust openings with an area equal to 25 per cent of the area of the liquid giving off the fumes should be located as near the point of origin of the fumes as the nature of the work will permit.

IV—A velocity of air of 1,000 lineal feet per minute should be generated in each exhaust opening.

V—If sheet metal is used in the construction of the duct, an acid resisting paint should be used to prevent corrosion.

VI—The exhaust fan shall be treated with acid resisting paint to prevent corrosion.

In the case of steam removal, or the removal of excess heat, such as exists in a wide range of laundry processes, a type of hood

<sup>2</sup>Pressure should be taken by pressing the tube attachment over a small opening through the pipe, commonly known as the static method. Tests should always be made with all branches open and unobstructed.

has been evolved which practically encloses the steam or heat-generating unit, and yet permits the operative to retain unobstructed facilities for working.

The presence of humidity in the general air of the workroom, (usually due to localized generation of steam), is now generally recognized as a serious health risk, which invariably lowers vitality and efficiency. It is cause for congratulation that the warm-air method of steam-removal, based on the general mechanical ventilation of the room, has been superseded by the infinitely more satisfactory local type of installation, that catches the emanations before they are diffused.

An individual mechanical exhaust hood of a cabinet type is necessary in a variety of fume-generating processes, such as lacquering and spraying operations. While the specific gravity, or extremely volatile character of the substances employed, may dictate the location of the opening to the exhaust pipe, and the velocity of air-pull required; yet provided that the hood be ample, with a liberal overhang, and that a sufficient quantity of air at a low velocity be moved from the general vicinity of the operative, the air of the workroom should not be contaminated, nor should the health of the worker himself be endangered.

The subtle menace to physical efficiency involved in the employment of some fifty trade poisons in our ordinary industries, demands an absolute and localized control of every variety of their fumes and dust, if the standards of production are to be maintained by a steady force.

#### LIGHTING

The relation of eye strain to efficiency and general health, is a factor in every branch of employment from the office to the foundry. Glare may be as great a handicap to satisfactory work as the twilight once permitted in the molten metal, and in a variety of other trades.

The standardization of illumination necessary for satisfactory results in a thousand divisions of industrial production, calls for expert knowledge; based not only on the physical limitations of vision, but also on the character of the work handled, and the amount of application involved.

While manufacturing operations such as foundry work, rough

machining, rough assembly and rough bench work, ordinarily require no more illumination intensity than 1.25 to 2.50 foot candles, measured by means of a horizontal reference plane thirty inches above the floor, and a portable photometer or illuminator; fine manufacturing operations, such as fine lathe work, pattern, and tool making, require from four to six foot candles. Whenever natural light falls below these standards, artificial lighting must be employed; and may be roughly reckoned, with a good overhead system, on the basis that one candle power (spherical) per square foot of floor area, will produce an illumination of about three foot candles.

*Natural Lighting.* The economy of utilizing daylight in manufacturing operations is obvious; but structural handicaps, or the direct glare of sunlight, may offset many of its seeming advantages.

The three essentials of: first, sufficiency; second, continuity; and third, diffusion can only be obtained by the most careful and scientific calculations.

In the case of daylight illumination they are dependent upon (a) adequate window area; (b) means of reducing the intensity of direct sunlight; (c) supplementary lighting equipment for especially dark days and toward the close of winter days; and (d) interior wall and ceiling colorings as light as is practicable, and of a dull finish.

While limits of space forbid technical discussion of standardized methods of artificial lighting, the absolute economy to the employer resulting from the elimination of defective work, and lost time due to unsatisfactory illumination, as well as a reduction of accidents, should encourage the universal adoption of the best methods now obtainable.

Two facts should be especially borne in mind by those handling workers in the finer manufacturing operations. First, that the unshaded spotlight is a direct injury to both eyesight and quality of product; and second, that although hygienic working conditions may be relied upon to improve automatically the health and efficiency of the worker, no lighting, however perfect, can correct congenital or acquired defects of vision. For this reason, a competent oculist should second the work of the illuminating engineer; if the full value of the latter's labors is to be reaped by the employer.

## WASHING AND DRESSING FACILITIES

In the conservation of the health and self-respect of the worker, as well as the reduction of intemperance, of shop friction, and of the labor turnover, no factor deserves greater emphasis than proper washing, dressing, lunch-room and sanitary facilities.

The man who leaves the plant unwashed and in his working clothes, (often saturated with sweat), is 80 per cent more liable to respiratory disease during seven months of the year than the worker who has washed up, and changed to street clothing, in a properly heated dressing room. } Moreover, whatever the season, the man who starts home under the influence of the stimulus of bodily comfort which follows a bath and change to dry clothes, is much less liable to the temptation that waits behind the swinging doors of the saloon.

It is a mistake to feel that the essentials of hygiene demand the most costly type of installation. While cleanliness and convenience must be insured, a very simple equipment will often serve to revolutionize the general morale of the plant. But if the practice of washing and changing is to become uniform among all employees, no undue loss of time should be involved for the worker, attributable to cramped quarters, and to an inadequate scale of provisions.

The following standardizations are based on tested minimum requirements now in successful operation, and are adapted for a wide range of industries, including those handling large forces and more than one shift.

*Washing Facilities.* Washing facilities should consist of lavatory basins fitted with waste pipes and two spigots conveying hot and cold water; or troughs of enamel or similar smooth impervious material, fitted with waste pipes, but without plugs; and for every two feet of through-length, two spigots, conveying hot and cold water. Where basins are provided, there should be at least one basin for every five employees; and where troughs are provided, at least two feet of trough length for every five employees.

Where large numbers must be accommodated, especially in trades involving heat and dust, where the worker should strip to the waist in order to wash more thoroughly, a satisfactory substitute for the hot and cold water spigots is a perforated pipe, conveying tempered water, installed above the middle of the trough at a height above the edge of the trough of from eighteen inches to twenty-four inches. Stoppers should be pulled, so that all washing is done in running water; and a trough length of two feet to every five workers is also necessary, as in the case of the spigot installation.

*Showers.* In plants where the workers are exposed to dust, dirt, the handling of poisonous materials, excessive physical exertion, heat or humidity, efficiency requires the additional provision of shower baths in the proportion of one to every fifteen employees so exposed. These showers should be screened, and should be provided with movable wooden floor gratings and runways. Even in warm weather the chill of cement flooring is both disagreeable and unhygienic; and is largely responsible for the present aversion of the worker to the use of the typical factory shower installation.

*Standard Minimum Dressing Room Facilities.* Each worker should be provided with a clean place in which to change from street clothes to working clothing. A pipe-rail equipped with clothes hangers, and fastened high enough from the floor so as to prevent the clothes from dragging, may be acceptable; excepting when the workers are:

- (a) Engaged in handling poisonous materials
- (b) Exposed to injurious dust or fumes
- (c) Exposed to excessive heat, humidity, or fatigue from physical exertion

*Dressing Room.* In such cases clean, lighted, ventilated and, when necessary, heated dressing rooms should be provided; separate from the workroom, but connected therewith. When poisonous materials are handled which expose the person of the worker to contamination, lockers should be provided, divided by perpendicular partitions, of a double type having the following dimensions: sixty inches high by twenty-four inches wide by twelve inches deep.

*Single Lockers.* Workers exposed to heat, humidity and excessive physical exertion should be provided with single type lockers having the following dimensions: sixty inches high by twelve inches wide by fifteen inches deep.

Much discomfort, and highly unsanitary conditions, may characterize the dressing rooms filled with solid steel lockers. The ideal arrangement is to connect the batteries of lockers with a mechanical exhaust system, which pulls a gentle current of air through their perforated bottoms, and out through the openings at the top. In absence of such ventilating method, however, it is especially essential that metal lockers be provided with perforated bottoms, shelves, and tops; and with fluted or perforated metal doors. The wire-mesh locker, while sanitary, is commonly unpopular with the higher grade employe.

*Lunch Rooms.* While all workers exposed to dangerous dusts or fumes should be provided with a lunch room, or rooms separate for the sexes, and apart from contaminated workrooms, their value to the employer in the interest of efficiency and the lessening of intemperance, makes their installation desirable in every grade of industry. The cold luncheon eaten in the workroom, is a demoralizing relic of standards long abandoned in other phases of shop organization; and is an anachronism in a plant where the relation of physical fitness to production is recognized.

As in the case of washing facilities, a simple equipment is usually satisfactory; cleanliness, light, warmth and good air are the prime essentials. Gas stoves or



steam tables on which food brought from home may be heated, are always popular; and the furnishing of milk, coffee, tea, soup, or a stew and bread and butter at a nominal charge, is an ultimate economy to the employer.

A word of warning may not be out of place to those who desire to establish a regular cafeteria lunch-room service. Unless the articles of food offered for the relatively hearty meal be of unexceptionable quality, both in material and cooking, the temptation to hurried over-eating will be found a serious handicap to production toward the end of the day. Provided, however, that the food be selected for its nutritive value; that its preparation insures ready digestion; and above all, that an extra time allowance of fifteen minutes be granted when the noon recess is ordinarily of but half an hour's duration, satisfactory improvement in the general health of the force, and a reduction of time lost through illness and intemperance, may be looked for.

*Toilet Facilities.* These should consist of one siphon action toilet bowl for each twenty persons or fraction thereof. Toilets should be frequently cleaned, well lighted, comfortably heated, and adequately ventilated to the outer air by a window or windows, except in cases where mechanical ventilation is permitted; and in addition, toilets should be separate for the sexes, and provided with vestibule entrances. Urinals, when deemed necessary, should be provided on a basis of one urinal for each fifty persons using same. Urinals should be properly flushed, and so installed as to prevent noxious odors from arising.

The plumbing used for washing and toilet installations should be made in conformity with the local requirements of the city wherein the plant is located. And special emphasis should be laid on the necessity for installing such facilities either under the roof of the main plant, or in buildings connected therewith by means of covered and warmed passageways, so that the exposure of the worker to chill and inclement weather may be eliminated.

*Drinking Water.* Drinking water should be furnished by means of sanitary bubbling drinking fountains, provided with pipe coils so arranged that they can be ice cooled during the summer months. The fountains should be of a type that prevents contamination from use.

Experience in every variety of industry intensifies the conviction of the fallacy of the belief that employes will either abuse, or fail to take advantage of, the sanitary and hygienic equipments above noted. Shop discipline now demands the same education of the worker along physical lines, which every foreman has long recognized as essential in the case of the actual routine methods of production. For the management of the modern plant to accept failure as the logical result of efforts to improve the efficiency of the human factor, is to accept a handicap which their competitors will overcome; and is to admit an incompetence in the handling of men, which would not be tolerated in the handling of their mechanical equipment.

## RECOMMENDED STANDARD PRACTICE ON MEDICAL SUPERVISION IN DETROIT PLANTS<sup>1</sup>

The committee presents its report in two parts: first, the results of a personal investigation of Detroit plants; and second, some practical suggestions for building up medical supervision in these plants to a certain standard of efficiency. Both the investigation and constructive policy are divided into three parts: physical examination, sanitation, and health and accident supervision.

From the investigation of these plants we find the following:

The committee personally investigated over thirty plants, ranging from 280 to 42,000 employees. But although various phases of medical supervision are being launched as separate items, there are very few firms that approach what we would call an average standard of efficiency. For this reason our analysis must be more or less vague. There being no accepted standard here in Detroit and the work being frequently under the direction of untrained people, the results of statements made by some firms would not justify our placing the same value on them. But the hopeful part of the situation rests on the fact that except for a few who admittedly are so engrossed in their overwhelming prosperity of production as to be indifferent to the individual care of the operatives, most of the companies are most eager to initiate some adequate system of medical supervision, or bring what they have up to a recognized standard. It is with the hope of helping these that we submit the following.

There are four companies with physical examination on employment and one company with reexaminations which occur and reoccur whenever the results of the first one seem to warrant them. In ten companies rejections of applications are made, mostly for

<sup>1</sup> The Welfare Managers group of the Detroit Executives' Club has recommended as standard practice the following report of a committee of physicians and welfare workers.

Acting with the coöperation of Helen Bacon, secretary of the group, who was formerly employment manager of women of the Western Electric Company of Chicago, this committee made personal studies of the medical departments of over thirty plants before drawing upon their own experience in industry to write the report. Dr. T. H. Mullen, of the C. R. Wilson Body Company, chairman, presented the recommendations of the committee at a meeting of the group on February 7, 1917. Signing them with him were Dr. E. H. Hanna, of the Cadillac Motor Car Company, a member of the National Conference Board of Physicians in Industrial Practice; Dr. W. A. Wilson, president of the Michigan Child Welfare Congress, and P. D. Hall, of the employment department of the Solvay Process Company.

Because of the fact that adequate medical supervision is far from common in industry and in no wise standardized, this report is interesting as an agreement upon principles by authorities in a number of plants.

venereal or skin diseases. Five companies give an age limit, the lowest forty, the highest fifty. One company rejects for any defect, venereal disease, tuberculosis, or over forty years, but allows drinking men. Three companies refuse drinkers. Eleven companies give some test for eye and ear and a few of these are really complete. Fourteen companies make some attempt to fit the man to the job for which he seems physically capable, yet without a physical examination, this is often impossible. One company has a follow-up system to fit or refit the man to the job and some file all applications and follow them up when men are needed.

#### SANITATION

Fourteen companies have some sort of committee on sanitation, and twenty-one have some sort of supervision of it. Only four companies have what we would consider very good toilets and of these four, only one company has an adequate number. Many have fair ones as far as type goes, but they are entirely inadequate to the number using them.

The same is true of drinking fountains. Some companies have them, and of a good type, but mostly so few in numbers as to make them almost ineffective. Only two approached the standard.

About half have paper towels, two have individual cloth ones, a few have roller towels and the rest none.

The floors are in better condition, some of them being very good and kept in good condition. In one plant where the floors are cement, rubber mats are supplied the men who stand; and from the men's say-so they are very satisfactory.

As to ventilation and lighting supervision, eight are considered good, some fair and the rest poor. Where new buildings are being constructed, this phase is being more carefully considered. One company has meetings of foremen to suggest lighting and ventilation improvements.

It was interesting to find two companies putting in laundries, and in one case the company will also wash the men's overalls.

#### HEALTH AND ACCIDENT SUPERVISION

On the whole the wash rooms are in only fair condition. In many cases no separate rooms are set apart, and in two cases the men and women wash together. One company has a fine basin and towel rack with individual towels for every ten; and they are put through in squads with plenty of time.

Locker rooms follow in most cases the condition of the wash rooms. Although some have steel lockers instead of the unsanitary wooden ones, only a very few begin to approach the number of employees. One company has a fine building under construction with full drying and ventilation system included.

The restaurants can be said to approach more of a standard, possibly because they must to a certain extent compete with those outside the plants. Some have tables only for the office force; some have separate tables in the same room for office and shop people; and a few have separate rooms or even buildings. One company has its restaurant divided into a serve-self and service sections, allowing office and shop men to use either side. Although the cost of the meal is increased slightly when given with service, many of the shop people prefer it to the serve-self side. Several of these restaurants are operated by outside caterers. Those operated by the plants themselves average a loss of 6 per cent. One company sells tickets on nearby restaurants at less than a single meal costs.

Though several firms maintain baseball, bowling or other athletic teams, only a few have an organized recreation unit; and in almost no instances are even these facilities utilized by the non-English speaking workmen. Yet these employes comprise the largest part of our working force, and have the least chance of securing such activities outside the plant.

Seven companies maintain a Mutual Benefit Society and two companies are considering establishing one.

Ten companies carry on some home investigation but only three of these attempt any educational work as a result of the investigations. In eight cases some visiting nurse work is done, but in most cases inadequate to the whole situation. Two companies are about to put such a system into operation.

With the exception of a very few, the hospital and first-aid rooms are pitifully inadequate or totally missing. Seven companies have paid physicians spending from one hour per day to their entire time at the plant. Others have doctors on call. Three companies have plant hospitals for the men with first-aid attendants. In these plants, drugs are furnished the men for minor ailments other than accidents. Here also advice is given as to physical condition whenever an employe wishes it. Several companies have outside medical contracts with hospital arrangements. Two companies have partial dispensaries. Two have work in first aid and minor treatments at the hands of an insurance company. And below these, medical supervision in some plants drops to the use of the clerical office or the lavatories. Two companies paying bonuses make report of minor injuries at once a condition of receipt of bonus as well as compensation. One company has a small laboratory and a part-time doctor studying occupational diseases. Ten companies put some attention on the care of occupational diseases; but possibly due to the fact that in many cases it is difficult to determine, the progress is not great. However, it is a great deal that this number of employers want to accept the responsibility.

To begin our constructive policy we advocate a physical examination for each new employe—not so much for the sake of rejec-

tion as to determine whether the man is physically fit for the job for which he is hired. If not, the doctor should indicate what jobs he might work at, without increasing any deficiency he may have. If a man's condition would allow him to work efficiently at any one job in a plant, we would not bar him from employment because he might not be fit for other jobs in the same plant. It is a fact that only 15 per cent of accidents and deaths are due to unsafe machines and unsafe places, the largest proportion being due to the unsafe man.

The arguments in favor of physical examination from the employer's standpoint are: (a) protection; (b) production; (c) coöperation.

It is evident why it is a protection to the employer to have the employe examined. Our industrial records will show any number of cases where the employe has attempted by fraudulent means to obtain large sums of money from his employer. For instance, a man injures his eye; examination shows him to be hopelessly blind. The employe says the accident made him blind when in reality he has been blind for months or years. A workman comes into the doctor's office with a swelling in his groin. It is a hernia. The workman says he got it lifting a box of material. We do not believe it, but how can we prove it if the man has not been examined? There are any number of defects which might similarly be uncovered had the man undergone a physical examination when hired.

The physically fit are in themselves much more able to increase the output of a factory or department, but besides that if we know those who are not physically fit, we may be able to place each one at a particular kind of work at which in spite of his defects he can produce as much as his physically fit fellow workman.

That spirit of coöperation is bound to occur where the workman is happy in the thought that in spite of his physical defect he can earn a good fat pay envelope and not accept it in a spirit of charity. Consequently he boosts his work, he boosts his employer and makes himself valuable in many ways.

On the other hand, the arguments from the employes' standpoint are that the employe is infinitely helped by being placed at work which he is physically able to do, and not having his life endangered, if he is suffering with myocarditis, by giving him a position where he is called upon to climb stairs, run lathes, or drill presses. The man with the poor eyesight is not put to work on fine grinding, tool making, etc. On the contrary he is set at work at which he can actually earn as much as his more fortunate brothers. And the fraudulent workman is eliminated from the ranks of the honest workman.

The advantage to a man in finding out his own physical deficiencies—maybe just in their beginning—is invaluable. But in this connection be careful that you make the man understand.

Especially if he is non-English speaking or English speaking but ignorant of the value of prophylactic or medical care, it will be necessary to spend more or less time in making him understand; but it will bring returns that will more than pay for time thus spent. Also, when both employer and employe know his physical status, a man is not going to claim benefits later for a deficiency he acquired previous to his present employment.

The subject of hernia is today causing considerable discussion, especially from a medico-legal standpoint, the standpoint of physical fitness, and finally from the standpoint of compensation.

Hernia is the protrusion of an organ through an abnormal opening of a containing cavity. Personally I lean to the opinion that true hernia (we are now speaking of abdominal and inguinal hernia in particular) is an inherited condition.

How often have we operated so-called recent traumatic hernia and found the sac thick and tough, showing its presence there for years, probably since birth. It is a fact that the courts hold in favor of the patient when the legal aspect is presented. A patient presents himself with an inguinal hernia, claiming it to have been caused by lifting this or that, or stepping a comparatively few inches downward while in your employ. The courts hold, as do most industrial boards, that the man is entitled to the benefits of compensation, when an operation upon the same man shows the hernia sac of the age of a lifetime.

Without fear of proof to the contrary, no man who ever lived, who was born and had reached the age of five to fifteen minutes without the presence of an abnormal opening in his abdominal wall, ever sustained a hernia through any force suddenly applied, no matter how great, unless that force was accompanied by a penetrating wound where the hernia appears.

A sac may exist for years and yet remain empty. When the bowel or omentum enters it from some strain or effort, the parts were long prepared to receive the extruding mass. This extrusion may occur gradually or suddenly. If the latter, the sufferer believes his hernia was formed then and there. But as a matter of fact, the extrusion of bowel or omentum and its entrance into the sac are but the last of a long series of antecedent and preparatory changes. The hernia appears and usually does so during effort. If extraordinary muscular effort is a cause and a sole cause of hernia, why are not all or nearly all of those men engaged in lifting occupations victims of the disease?

Heretofore all applicants who had only half vision were rejected. It is very important to examine both eyes. When an employe who has but one eye suffers the loss of sight of the sound eye, the employer is held under the law for the loss of both eyes. If the eyes appear subnormal in any way, special examination should be given

by an oculist. A general examination of the condition of the teeth should be followed, when necessary, by a detailed examination by a dentist. Eventually it may be worth while to have as part-time officers of the staff an oculist and a dentist.

In this connection we feel that it would be of mutual advantage for the doctor to advise regarding treatment and be allowed to receive the employe as a private case should the man desire it. In this way the doctor will become better acquainted with the condition of the employes and will not become stale as is the fear of the industrial surgeon in handling only one type of work.

The committee has drafted a standard examination record form like the example given.

PHYSICAL EXAMINATION BLANK

..... Company

Date Hired..... Date.....

Name..... Age..... No.....

Nationality..... S.M.W. Trade.....

General Appearance..... Children.....

Have you ever had an operation?.....

What serious accidents or diseases have you had?.....

.....

R R Do you wear glasses?.....

Vision Hearing Are you ruptured?.....

L L

Signed.....

Deformities..... Ht..... In..... Wt..... Lbs.....

Extremities, varicose veins, flat foot, etc.....

Blood Pressure..... Urine S. G.....

Head, including nose, mouth, teeth, throat and neck.....

.....

Heart, Lungs, Liver. Inguinal Region.....

Is special examination recommended?..... If so, for what?.....

Remarks.....

.....

This man is physically fit for { Any  
Moderate  
Only Light } Work  
(Signed).....

If this record were used in all Detroit plants we would eventually have some data from which we could build our average manufacturing man, his possibilities and value.

In order to safeguard the interests of the other employes, we consider the following as legitimate causes for rejection: venereal diseases, tuberculosis, skin diseases of a contagious nature, eye diseases of a contagious nature, epilepsy if determinable, and any physical unfitness of non-contagious nature which would incapacitate

the man for the work for which he is hired. A deformity not interfering with efficient production would not be a cause for rejection.

Reexamination will depend upon the condition at the time of employment, any defects being followed up as often as seem best to the examiner. The responsibility for seeing that stipulated re-examinations occur, and for sending for reexamination any other case where a man seems below par, should be definitely placed on each foreman. Then, with consultations between him and the physician on his regular rounds, he should be able to keep a fair gauge on his men. And we even suggest a medical record book for each foreman so that during the shifting and changing, the medical supervision of the men will not suffer. Also, we would demand that all injuries, however slight, be sent to the first-aid room for treatment. This avoids very costly cases of infection. The foreman should be held responsible.

Where firms have rigid pension systems, age limits may seem necessary to safeguard the funds; but otherwise, we do not believe that except as it affects a man's physical fitness for a job any arbitrary age limit should be placed upon an applicant.

If an employe is affected by a disease traceable in its causes to his work or the conditions in a plant, his case should be given special care and he should receive compensation as in the case of accidents.

#### SANITARY ARRANGEMENTS

The sanitation of a plant should be under the supervision of a committee composed of the safety engineer, plant physician, nurse and welfare worker. The cause of each accident should be investigated by the safety engineer with a view to providing against a recurrence in the future. Frequent cases of sickness from any one section should be traced for a possible cause in the shops themselves. A stated round by the doctor would bring forth cases needing attention and each foreman could assist in making suggestions for better sanitation.

The material available on the subject of factory equipment in washrooms, locker rooms, toilets, drinking fountains, etc., is very limited, that is, such material as we can use for our report. No one seems to have figured these equipments out as to requirements per hundred men except in some very local situations, not at all fitting varied factory needs.

The following suggestions form what we might call the well-equipped plant, as seen by two sanitary engineers, a doctor, two safety engineers, four welfare men, and the suggestions of the manufacturers of sanitary plumbing, and the equipment of recognized leaders in factory completeness.<sup>2</sup>

<sup>2</sup>Where cuspidors are needed they should be placed on paper mats twenty inches in diameter and changed daily. Paper lined cuspidors are recommended.



	Lavatories	Toilets	Drinking Fountains	Lockers
Type.....	Individual	All Porcelain. No wood	Bubble type, arranged so lips do not touch metal	Perforated metal, slanting top to pre- vent accumulation of refuse
Located....	In central building near lockers	Substations near workers	Where conven- ient to workers	In central building
Number, ..	1 for 15 men	1 to 20 men	1 to 30 men	1 per man. If pos- sible one compart- ment for work and one for shop clothes
Accessories.	Hot and cold water, liq- uid soap, paper towels	Automatic flush		Locked. Forced hot air ventilation to dry wet garments
Plumbing..	Open type, plain			
Special Features	Porcelain	Must have a forced air venti- lation	In clean, light places	It is advisable to ar- range locker so that men coming off work at same time have every second or third locker to prevent crowding
Note .....	Average time per man at wash basin 2½ minutes	Compartments should not have doors, as easier to keep clean		If lockers are near washbasins, a larger number can use both without waiting

The objection to paper towels, "that we do not get our hands dry enough to prevent chapping" can be done away with by a well ventilated, warm dressing room, where the hands will dry while dressing.

Where there are corners into which waste papers and refuse are thrown this can be largely eliminated by painting these corners white and lighting them well. One does not throw waste into clean corners.

Tile floors should be laid in all washrooms, etc., where possible, otherwise cement well drained. Oily floors should be scraped and swept daily. Where cement floors are used, rubber pads for the men to stand on will help in increasing comfort and efficiency. All

scrap metal should be kept clear of the workers. Many injuries have resulted from this in Detroit plants lately.

Since there is a special committee of the Industrial Welfare Managers' Association on sanitation, we will leave a detailed report on these phases to that committee.

A report on suggestions for forming a mutual aid association has just been completed by that committee of this association and will be mailed this week to each member of the association. About one-third of the poor commission cases of Detroit deal with industrial workers or their families and yet in most of these cases the industry is not responsible. For instance the cases can be roughly divided into: (1) accidents or sickness outside the plant; (2) tuberculosis; (3) desertion; and (4) when compensation has been exhausted. Now help for the first class, at least, would be obtainable from a mutual aid association, and would serve to bring the man back to the factory at the end of his disability instead of his leaving altogether and thus necessitating the breaking in of a new man. Group insurance would also help in this way.

We include good lunch room and recreation facilities among our prophylactic treatment but are leaving to the special committees on these phases, detailed reports of the work.

The following equipment we suggest to maintain an effective first-aid room or plant hospital.

This will depend necessarily on the number of men employed. In one Detroit plant of 8,000 employes, three physicians are kept constantly busy either on inside or outside work. Where a doctor is going to carry on successfully other phases of medical supervision besides emergency accident work, we think his supervision should not range higher than from 2,000 to 3,000 employes.

As to adequate hospital rooms, we consider a unit of 1,400 to 2,000 employes would require three rooms—a reception room, an examining room, a surgery or dressing room.

The furniture needed in a reception room is enough chairs so that patients will not have to stand, and a stretcher. The examining room should have a rest cot, scales and other incidental equipment with two or more booths to facilitate examinations. The surgery room needs an operating table, an instrument case with necessary first-aid instruments, drugs and dressings, one or more pedestal wash basins, and one waste can.

For plants of less size, at least one room, set aside for this purpose only, is absolutely necessary to carry on medical treatment successfully.

To show what nursing service the employes of Detroit manufacturing plants are getting—and without knowing it—we submit the following data.

Out of a total of 378 patients cared for during the month of

December, 1916, by the Visiting Nurse Association, there were 222 cases where the wage-earner was employed by a manufacturing firm.

A survey has just been completed by the Detroit Home Nursing Association of more than 10,000 homes of moderate means, and records were made of 2,000 cases of childbirth, 675 of which were cases where the wage-earner was employed by a manufacturing firm. In 653 cases of the 675 the husband acted as nurse at night; in 158 cases he stayed at home from work from one to four days; in thirty-one cases he stayed at home one week and in four cases two weeks.

The incomes of those 2,000 cases ranged as follows: 48 families received less than \$60.00 per month; 406 families received \$60.00 or less per month; 796 families received \$60.00 to \$100.00 per month; 642 families received \$100.00 to \$150.00 per month; and less than a dozen have incomes over \$150.00 per month. The financial condition of the majority of these families prevents them from securing dispensary treatment, yet is not sufficient to leave much margin for medical care.

Of course this is only scattered service and covers but a small part of what a nurse could accomplish if she were wholly or in part employed by you. An industrial nurse and first-aid man should have the following duties:

1. First-aid and hospital work.
2. Rounds in plant for observation of employes and inspection of shops.
3. Health and hygiene classes or talks to employes.
4. Home visits for nursing sick employes.

There are two organizations which can be made use of if you have no factory nurse or if you want to demonstrate the actual use of such a worker. The Visiting Nurse Association will give trained nursing service at the rate of fifty cents a visit, or will take over the entire nursing responsibility of a plant at the salary of one nurse. The Detroit Home Nursing Association will give practical nursing service at \$10.00 to \$14.00 per week. This service is especially desirable where the woman is incapacitated to the extent of not being able to do her housework, care for the children and get her husband's meals. The service of such a woman would be cheaper than that of the husband if it would otherwise be necessary for him to remain at home.

In this connection let me also state that the Visiting Housekeepers Association will be glad to send workers into any homes to teach the women the economical planning of meals and family expenses. Several firms are now using this as a free agency and one company is paying the salary of a visiting housekeeper so as to have her entire services available for the employes of their plant.

Since you may not feel that your force is large enough to warrant (at least at first) a full-time physician and nurse, we suggest a grouping of small plants so that with a relatively small expense adequate skilled service can be secured. Later on as individual plants become more systematized in this work, it may be desirable to develop a central bureau for examination and employment. In this way much work could be accomplished regarding the turnover of labor and temporary transfers, and a standard of medical supervision developed which would greatly increase individual plant efficiency.

## THE WORK AND SERVICE OF THE FACTORY NURSE IN MANUFACTURING PLANTS

BY NATHALIE C. RUDD.<sup>1</sup>

While any manufacturer who has established in his plant a welfare service or nursing department (the title is immaterial) will tell you that he "wants to feel that his people are cared for," this is but the expression on his part of the general attitude of managers nowadays that they wish to get at the mind of the people—to learn the underlying causes of industrial dissatisfaction. It seldom shows a knowledge of real conditions and needs. They have come to realize that a better mutual understanding must come about between employer and employe.

I think that the nurse, perhaps better than any other woman worker, placed in the midst of a body of working people, can offer the keynote for the betterment of conditions and the furtherance of harmony.

Hospital training alone will not have given a woman the ability to serve in this capacity; but where that vast opportunity for studying human nature at its frailest has been used to widen the sympathies—to "get the response" from all classes and conditions of people; and where it is added to a natural democratic spirit, an appreciation of the business viewpoint and an executive ability (in fact, the right personality) the nurse in her professional capacity has a wide sphere of usefulness before her in industry. Her qualifications might be tabulated as follows:

- a. Has human sympathy and wins confidence
- b. Has help to offer by remedies or advice
- c. Has learned the value and dignity of *work*
- d. Knows the necessity of cheerfulness, unselfishness and enthusiasm in daily intercourse
- e. Is accustomed to look for symptoms as a means of diagnosis, and naturally uses this faculty in looking for causes that have produced certain effects

<sup>1</sup>For five years engaged in starting work of this character at The Plimpton Press, Norwood, Mass.

## A SCHEDULE OF WORK VALUABLE

I believe that every nurse now engaged in industrial work was attracted by the thought of a new and great field of service, where wonderful reforms could be achieved. Where she has failed or lost courage it has been due to one of two reasons—either because the lure of the easier hours and the steadier salary than that accompanying general nurses' work has sapped her enthusiasms and weakened her efforts; or because the problems arising in the industrial world were so many, so conflicting, so apparently without solution, that she felt her work was without effect, and allowed it to become so. For the former class there is nothing to say. To the latter I would recommend the conscientious following of an outline or schedule of work: not for the checking up of achievements, but because in the following of such an outline one loses the feverish unrest which comes in trying to grasp the whole of the problem at once, and finds that the daily round of work, faithfully performed and studied, furnishes a mass of data—a knowledge of conditions and needs, which leads directly to results.

*Outline*

- 1 Treatment Room Work  
Methods: Few drugs. Show personal interest in every case. Instruction proper medical and surgical care
- 2 Visits throughout factory, covering every department frequently
  - a. Follow-up on cases seen in treatment room
  - b. Detection of incipient troubles
  - c. Ventilation—cleaning—safety
  - d. Orderliness and sanitation in toilets, lockers, etc.
  - e. (Most important) General effect—"On the Job"
- 3 Calls on sick or absentees  
Not as spy, but as friend, a spirit always welcomed
- 4 Coöperation with doctors, clergy and outside interested parties
- 5 Help or advice in family troubles—medical, moral, social
- 6 Development of work in interest of employees: bank, library, lunch room, newspaper, benefit association
- 7 Outside social work in small groups
- 8 Coöperation in any work for civic betterment

Following such an outline furnishes plenty of occupation; occupation leads to a quiet mind; and it is only the quiet mind that can achieve. What use is to be made of all the various phases of human needs and peculiarities noted? Out of the knowledge and experi-

ence of the nurse, seeing the people in this new relationship, should come some valuable contributions towards the establishment of the much desired harmony. It seems to me that in looking for causes of disharmony our investigators are usually looking too far or too high. The causes of tremendous troubles are often very little things. Whole departments are upset by the ill-temper or arbitrary actions of one person—some little lack of consideration—perhaps partly justifiable. This is where the nurse fits in. She stands as the friend of the people; she sees things with their eyes; and then, because of her broader training and experience, and her wider viewpoint, she can often locate the festering spot that is the underlying cause of disturbance. She will stumble into things that show a great unfilled want in the lives of the people—things which may lead to the development of schemes to fill these needs—schemes bringing the employer and employe together and out of the development of which, greater mutual understanding is evolved.

#### THE DETAILS OF A DAY'S ROUTINE

Let us follow this outline a little way. The employes visiting the treatment room may number ten or one hundred a day (if the latter, the nurse needs an assistant from the start). Many of these cases will be minor accidents or infections. There may or may not be work to do in the investigation of the cause of the accident. It may be due to gross carelessness on the part of the injured person; it may be due to the nervousness produced by the over-arduous "boss"; it may be due to another's carelessness in leaving utensils in the way; it may be a defect in machinery. There, at any rate, is something to do in the line of instructions for proper surgical care—explanation of methods used—a little correction of the prevalent ideas as to the value of cobwebs or onions for surgical dressings. Some of our patients may have chronic disorders of stomach or head and seek a daily remedy. Such troubles may frequently be traced to neglected teeth, to eye strain, or to atrocious habits of diet, and it will take a long time to break down some of the traditions found in different industries and convince a man of the value of modern medical science. One has at times the worker who craves a stimulant to enable him to perform his task, and investigation shows a home condition that makes a night's rest impossible. I have had one employer, about to start elaborate "welfare work," say to me, "I don't

care anything about a man's sick babies or his outside affairs, I just want him well and happy here." That statement will not bear analysis, because it is doubtful if a man can be well and happy at his work if there are sick babies at home. And the nurse who follows every clue to a sick baby or other home conditions that affect the worker in the factory is fulfilling her highest obligation to her employer in his quest for well and happy employes.

The same thing applies to the hysterical or frequently ailing girl. Tragic things may be discovered in the life of the listless, uninterested factory girl. It is only fair to the management as well as humane to the girl to investigate these conditions, for the employer in the eyes of the world is usually bearing the blame. It is not enough even to locate the cause of the pallor and listlessness in the all-night dance. The good work is not ended until healthier pleasures and rational living are substituted; and it has been proven that the average girl can be made to see this from the health and the business standpoint. It was the frequent discovery of this condition in my recent work which led to the organization of a girls' club which met this need in the lives of over a hundred girls, and which furthermore taught them the principles of democracy, self-support and self-government. Does a girls' club seem remote from the employer's purpose in establishing a nurse in his factory? There is really a very close connection. More than one girl said in relation to her enjoyment of the club, "I have so much more to think about now. I can work better and the day goes faster." The day that goes fast is never a day of loafing.

The daily visits throughout the factory are a very essential feature of the work. Apart from the purpose of these trips as tabulated, they are absolutely necessary in order to produce a fellow-feeling. I do not know that the day will come when the man who sits in his office and wears his coat and his collar will cease to be an object of apparent disdain but real envy, among those honest people who labor with their hands. The nurse should early recognize this and let nothing interfere with a routine inspection of factory and workers. The management should grant this privilege and should give frequent opportunities for conferences with the nurse in relation to her findings or recommendations as to better sanitation or working conditions. Here, too, the nurse should be on her guard lest her suggestions lose force through a too strictly professional interpreta-



tion of hygiene. One cannot demand hospital standards of asepsis in a factory—nor is it at all necessary.

The nurse's attitude in the factory should be one of sympathy and interest, but she should always feel and give others the feeling that her highest duty to worker as well as to manager is to set a standard of better conditions—better health, and through these, to greater efficiency and value. This does not mean eliminating the weak in favor of the strong; neither on the other hand does it mean coddling the inefficient worker and concealing, because of a false standard of kindness, defects that must lead to incompetence. The nurse who accepts industrial work must accept it in its true meaning. She is not engaged to run an out-patient department for the handicapped. Her work is to develop high standards of health as a part of business efficiency, to see that all conditions are conducive to effecting this standard, and to inspire those for whom she is working with a zeal for these principles. It is astonishing to see how quickly the former habits of thought among the workers melt away when one labors in their midst, upheld by ideals of cleanliness of person, orderliness of rooms, courtesy of manner to each and every call, and a cheerful enduring energy, and love of work.

#### EQUIPMENT OF THE NURSE'S DEPARTMENT

The nurse's department should be located if possible in a part of the plant free from the jar of machinery, where good cross-ventilation is possible. She should have a private office for consultations or conferences with any who want to see her. There should be a separate room for treatments, the size of this directly varying with the number of employes and the hazard of the occupation. Hot and cold running water should be in this room and there should be space for a couch where an injured person could be placed. The rest room should be quite separate from these rooms. It should have one or two couches, preferably rattan, and the walls should be tinted in some quiet tone that is not glaring. It should not be overfurnished, unless it is intended for use as a recreation room, when cushions, books, pictures and rugs may well be utilized. Having in mind a room strictly for the care of the sick I would recommend the simplest furnishings, suggesting repose in every way.

In the equipment of a treatment room it is surprising how little is required, apart from the few surgical instruments necessary in

case of accident or infection and the antiseptic solutions needed in this kind of work. The use of medicines is to be tabooed as much as possible. The morbid craving of the people at large for drugs as a relief to symptoms is certainly not to be encouraged by the nurse who is working for public health, and who knows that healthy recreation, better air in factory and at home, digestible food, proper rest and relaxation of nervous strain, are the things the people need, and that if drugs *could* bring about the desired result it would be wrong to recommend them. Another thing that the nurse must guard against is the tendency of the people to discuss sickness and past operations. Let her watchword be health and not sickness, and she will have a much better and quicker response to her efforts.

While it is not possible for the nurse to be always present in her rooms, if devoting time to outside calls and factory inspection as well, she should make provision for the care of accident or illness by giving training in first aid to some available person in the factory and her emergency and rest rooms should be open at all times.

The calls on sick or absent employees will always lead to a feeling of personal interest, if rightly handled; in fact very soon it will be regarded as an affront not to receive a call from the nurse if absent from work. She will find it essential to have friendly relations with the local physicians and clergymen and all relief and charitable organizations. The details of family troubles cannot all be handled by the nurse, but through coöperation with other agencies much can be effected.

The greater the expectation of the ultimate benefit of this work, the slower must be the initial steps. All the welfare features in a factory should be the outgrowth of the people's obvious needs and should be developed *with* the people. It is only in this way that they can succeed. I have seen mahogany furnished, expensively equipped libraries unused. In my own work, a little library of eight hundred volumes was patronized by two hundred readers, and the coming and going daily was a pleasant feature of the personal intercourse between departments.

#### STARTING A SAVINGS BUREAU

The development of a savings bureau was undertaken with the knowledge of two existing conditions. First, we knew that money was not wisely handled by our people, that it was chiefly a hand-to-

mouth policy that governed their expenditures, with no provision for the rainy day. We also know that a few of the more thrifty-minded were saving when possible, placing this money with some trusted fellow-worker, whose bookkeeping was of a primitive order, memory playing a large part in the management of these funds. This was so obviously unsafe and yet had so much of good in it that we utilized these trusted people as a part of the force in the savings bureau, all moneys being collected by them in their several departments and turned in to the treasurer, who was elected by vote of the people. We followed the habit already established in connection with their own savings plan, and savings bureau collections were made in the wake of the paymaster—obviously the psychic moment. Withdrawals might be made at any time, within twenty-four hours' notice to the treasurer. Interest was computed semi-annually at  $4\frac{1}{2}$  per cent. A loan department was developed in connection with the savings bureau, where money could be borrowed to the extent of the weekly salary, or larger amounts by giving collateral, the rate of interest being low. This was not intended to encourage the man who always lived ahead of his earnings, and the purpose of the loan had to be confided to some member of the loan committee. It was almost the invariable fact that the money so borrowed gave help that could not have been secured in any other way, in times of expensive illness at home, or when mortgage interest or taxes came due, or for the larger buying of winter fuel or supplies which enables the man with means to live so much more cheaply than his poorer brother.

When making the loan the borrower gave his written promise to make weekly deposits into the bureau until the sum borrowed, plus interest, should be accumulated. The entire transaction was on a business basis, and one could almost see self-respect grow as a man finally withdrew from his savings in the bureau the sum equal to his note and interest, and realized that without loss of dignity he had accomplished his ambitions and was clear from debt. The savings bureau apparently met another need. Before its start it was customary to hear from our girls, when vacation time was allotted, the rather bitter remark that a vacation without money did not mean much. This complaint entirely ceased; they all had money; it became the habit to save first, and it was almost without exception, on the withdrawal of money for whatever purpose, that the

statement was made, entirely unsolicited, "I would not have a cent of this money if it were not for this bank." At the close of the first year the total deposits for the year were approximately \$5,000. At the close of the fourth year, with some four hundred depositors, the figure reached nearly \$15,000, no one depositor having more than \$500, interest being paid at the prevailing rate. The company agreed to use the savings bureau money, to the extent of \$5,000, paying 5 per cent interest. Beyond this (apart from the money out on loans) it was invested by the executive board of the bureau.

#### ADVANTAGES OF A LUNCH ROOM

Whatever may be the response of a group of employees to certain features of welfare work, there is no question as to their response to the thought of a lunch room. If it be clean and attractive, if it serves good and plentiful food at reasonable prices, it will soon prove its need and there is no better means of reaching to the heart of the people (the avenue of the stomach has always been acknowledged as the straight road). The reasons for this particular development in our plant were: first, that one hundred people were eating cold lunches at noon; half as many more were taking a twenty-five minute walk to their homes for the purpose of getting a hot meal, which they had just ten minutes to eat. Numerous cases of after-lunch indigestion were due to this long hurried walk to and from home, which in the hot weather was extremely exhausting. The lunch room was planned with particular reference to serving an accessory to the lunch brought from home—a hot soup or cup of coffee, an attractive dessert or ice cream. A whole meal could be obtained, but the plan was not to entice people to spend their money; rather to make possible a nourishing noon repast at small cost.

This lunch room, equipped at a cash outlay of \$400 (which did not cover carpentry or plumbing) served a daily average of seventy-five people, and on rainy days its service was stretched to accommodate nearly two hundred. The room used was a deserted basement office, hardly twenty by twenty feet. A young girl was trained by the nurse to do the cooking in the most careful and sanitary manner. The service was entirely voluntary, the food being served at the noon hour by the employment manager, the nurse and several of the stenographers who cheerfully gave part of their noon hour in return for the lunch. This voluntary service proved a very helpful factor

in furthering the democratic spirit which we wished for. It is hard to imagine any ulterior motive in one who, voluntarily and cheerfully, serves you hot soup over a counter daily. There was evidently something in the quality of this service which won the confidence of our people as no other effort had done. We felt that if hired help had been depended on in this service, or in the management of the lunch room, much would have been lost. We demonstrated that given the rent, light and gas, a lunch room of this capacity could maintain itself without loss, covering the cost of food and of cooking and cleaning. The responsibility for the running of the lunch room was shared with the people by making one person in each department responsible for the sale of the checks which were taken in payment for the food, no money being handled in the lunch room.

The development of welfare features will vary with the number of employes and the wealth of the corporation, but where there is a group of even one hundred employes, the work will repay the effort put into it, in loyalty and good-fellowship. I know nothing of its dollar and cents value and believe it could not be estimated. In the smallest developments, the system should be so complete and so thorough that it may be stretched to meet growing requirements.

Records should be kept, showing the length of service of each worker, the cause of his visits to the nurse, frequency of such visits, remedies, follow-up work, home visits, etc. Notes should also be made as to nationality, citizenship, standing in community, and interrelations with other workers. Such records will, in the course of time, give some valuable statistics in the comparison of departments, from the health viewpoint, and are further absolutely essential in order to keep in touch with the worker, as one cannot rely upon memory.

From the standpoint of the nurse, the work in an industrial plant has in it all the elements which make up a satisfying occupation. It deals not alone with the details of the moment, a routine filling every hour, nor alone with a large problem, out of the study of which one hopes to produce statistics and data which will aid in its solution, but it embodies both these conditions. The routine and daily work would be wasted in the long run were they not part of the study of the larger problem. The attempt to study this problem would be unsuccessful were not many methods devised for get-

ting close to the people—not only to serve their needs, but to see things with their eyes.

The work brings up all the conditions that relate to public health or social service work of any nature. From the outlook of public health the best reason for work inside a factory, in its value to the community, is because there one finds and can strike at the root of evils which are powerful in undermining health, and which are the target of the efforts of hospital clinics and social workers. The proper structure and care of toilets is closely allied to the work of the medical profession in finding the causes and cures of venereal disease, the destructive effects of which on innocent victims are daily shown in hospitals and clinics. The careful washing and sweeping of floors in industries where poisonous dusts accumulate is an effort in harmony with that branch of medicine which is seeking to prevent occupational disease.

It is therefore a work which is educational to the employer as well as the employed. I feel that when an employer has awakened so far as to realize that the force which turns out his product is composed of *people*—not machines or power, or money—but human beings like himself, this education has commenced. It is broadened when conditions affecting these people are brought to him again and again, and he sees that their point of view is the same as his would be, could places be changed. If still further he realizes that what affects the people to their detriment must, in its widening circle, affect the community, and ultimately, like a boomerang his own prospects, he will finally see that the first and last analysis reads very much like the old-fashioned golden rule. He will find then too, perhaps to his surprise, that he is one of the forces working for the public weal, when he had only intended to “keep his employees happy.”

When our industries have recognized their responsibility for the human lives in their employ, and by compelling health and efficiency have raised the standards of the working people, there will be fewer derelicts to cast on the mercies of hospitals and charitable societies.

**PERSONNEL AND MEDICAL AUDIT**  
**THE SELECTION, TESTING, TRAINING AND WELFARE OF**  
**EMPLOYEES**

**By F. E. WEAKLY,**

**Manager, Department of Efficiency, Montgomery Ward and Company of Chicago.**

One of the biggest problems in our business aside from the fundamental one of making a profit is the study of our employees. Much time, thought and expense have been devoted to this subject of human relations and it seems as though our work has only begun.

The analysis and reduction of labor turnover depend upon a thorough knowledge of the employees as well as of the business itself. "Know thyself" was said several thousand years ago, but it has been left for modern industry to place a real interpretation upon it. Scientific management and efficiency methods have made it possible for us to appreciate in a way, at least, what it means to know yourself. This article, then, is only one chapter of a story dealing with how this business is endeavoring to learn and know itself. To know our faults is the first step forward in the correction of them. A scientific study and willingness to recognize the facts, as well as take definite steps to correct them, will strike a staggering wallop to labor turnover.

In order to get a clear understanding, we first began to study the reasons why employees leave. Quite naturally, in classifying these causes we were governed by local conditions in Chicago, as well as conditions in the plant.

The first thing we did was to take a map of the city and plot with colored tacks all the main sections of the city in which our employees live. This told an interesting story indeed. It enabled us to analyze transportation conditions; it explained why many people were constantly late—it was of immense use during the various street car and elevated strikes in enabling us to assist in getting our employees to and from work. It gave us something concrete. It aided us as well in suggesting proper places for new employees to live. Every new employee is now charted on the map

by the district of the city in which he lives. This shows on his card in the permanent index in the employment department.

### WHY EMPLOYEES LEAVE

We then made up a weekly employment record which lists under ten main heads the reasons why employees leave. This analysis gave the total number of "leavers" for a series of seventeen different payroll groups, as is shown in Chart A.

WEEKLY EMPLOYMENT RECORD																
NUMBER OF EMPLOYEES ON PAYROLL WEEK			EMPLOYEES ADDED THIS WEEK					EMPLOYEES TAKEN FROM PAYROLL THIS WEEK								
EMPLOYEE			From	From	From	To	To	From	From	From	From	From	From	From	From	From
Group	1905	1906	Old	New	By	To	By	Old	New	By	To	By	To	By	To	By
1																
2																
3																
4																
5																
6																
7																
8																
9																
10																
11																
12																
13																
14																
15																
16																
17																
TOTAL																

CHART A

This chart began to furnish concrete data and enabled us to get at things. This report was made up weekly. In the course of time we began to accumulate comparative figures. This report did not tell us enough. Today the analysis of why employees leave is carried much further.



Classification of Causes for Removal from Payroll	
<i>Other Positions</i>	<ol style="list-style-type: none"> <li>1. Better Salary</li> <li>2. Former Position</li> <li>3. Going into Business</li> <li>4. More Promising Position</li> <li>5. Position Nearer Home</li> <li>6. To Learn Trade</li> <li>7. To Return to Trade</li> </ol>
<i>Health</i>	<p>Leaving City To Marry On Account of Health</p> <ol style="list-style-type: none"> <li>1. Own Accord</li> <li>2. Number 98 (To Division Supt.'s a/c Dr.'s Orders)</li> </ol>
<i>Dissatisfied</i>	<ol style="list-style-type: none"> <li>1. Did Not Like Supervision</li> <li>2. Distance Too Great</li> <li>3. Refused Temporary Work</li> <li>4. Refused to be Transferred</li> <li>5. Resented Criticism</li> <li>6. With Salary</li> <li>7. Did Not Like Working Conditions</li> <li>8. Work Too Hard</li> </ol>
<i>Unsatisfactory</i>	<ol style="list-style-type: none"> <li>1. Agitator</li> <li>2. Carelessness</li> <li>3. Dishonesty</li> <li>4. Drinking</li> <li>5. Fighting</li> <li>6. Financial Difficulties</li> <li>7. Indifference</li> <li>8. Insubordination</li> <li>9. Irregular Attendance</li> <li>10. References</li> <li>11. Superintendent's Private File</li> <li>12. Suspected of Pilfering</li> <li>13. Too Slow</li> </ol>
<i>No Reason</i>	<p>Reduction of Force</p> <ol style="list-style-type: none"> <li>1. To Go to School</li> <li>2. To Stay at Home</li> <li>3. Worked Less Than Two Weeks— Failed to Report</li> <li>4. Worked More Than Two Weeks— Failed to Report</li> </ol>

CHART B

Chart B shows a detailed analysis of the various causes, especially those causes in which we may or may not be directly to blame, and is the key for reading Chart C.

[illegible]

### CHART C

Chart C shows an analysis of "leavers" by detailed causes by department. Another chart is kept of the "leavers" in the various office departments similar to Chart C which covers the operating divisions.

Still another analysis is maintained to show a classification of "leavers" by department and by activity. This is illustrated in Chart D. Part I of Chart D shows the average length of service by the same classification.

It will be seen with this series of analyses carefully and regularly compiled we are able to know something about why people leave our employ. It is thus possible to put our finger upon the cause. We work upon the theory that to cure the disease, remove the cause instead of treating symptoms. The diagnoses which these several charts explain have enabled us to go quite a long way in understanding some of our labor turnover problems. At least we have obtained the facts, something tangible, a real basis upon which to work.

	97	99	80	81	83	85	86	50	60	61	62	63	64	48	etc.
<b>Total</b>															
Checker															
Stock															
H. Order															
L. Order															
Frt. Pac.															
M. Pac.															
Wrapper															
Short Boy															
Sorter															
Section															
Nailer															
Paster															
S. R. Gen'l															
Truckers															
Pit Stock															
Hustler															
	97	99	80	81	83	85	86	50	60	61	62	63	64	48	etc.
Av. length of Ser.															
Checker															
Stock															
H. Order															
L. Order															
Frt. Pac.															
M. Pac.															
Wrapper															
Short Boy															
Sorter															
Section															
Nailer															
Paster															
S. R. Gen'l															
Truckers															
Pit Stock															
Hustler															

CHART D

The case of every employe who leaves is carefully investigated. If an employe fails to make good in one department on one class of work, due to no cause that would warrant immediate dismissal, he is tried on several jobs. This is always handled by the employment and educational departments.

A careful and intelligent effort is devoted to the proper placing of each individual. To aid in our selection of employes we have what might be called a vocational bureau, which is a part of our employment and educational work. The purpose of the bureau is to aid in the scientific selection and fitting of the worker to his task. Supplementing and working with the bureau is an activity we call "plant instructing" or teaching the worker on the job his or her specific task. We place a great deal of faith, first, in the proper selection of the employe; second, in the proper training of the employe.

A fact that we try to recognize is that all people are human. The application of this principle begins in the employment department. Every applicant for a position is interviewed courteously whether we have a position for him or not.

#### DEALING WITH NEW EMPLOYEES

Now to understand just how the several plans work, I shall take as an illustration the case of a new applicant who has applied for a position as a checker in one of our merchandise divisions.

If the interview is satisfactory, the applicant fills out the application form. If this is found to be all right, she is sent to the vocational bureau where she is given a general intelligence test in accordance with the outline of the qualifications for her work, her job and herself as is outlined a little further on in this paper. If she fails to pass the test, she will be courteously talked to and an endeavor made to place her at work for which she is suited. If we have no such place, of course, we shall be unable to use her. If she passes the test, she will be sent to the medical department for a physical inspection. If she has no glaring physical defects that would seriously hamper her in her work, she is allowed to pass. Upon returning to the employment department she receives her assignment as a checker, the necessary forms are filled out to attach her name to the payroll and she passes to the educational depart-

ment for general instruction lasting usually about one hour. After three weeks she will be called by the medical department for a thorough examination.

The educational and welfare division is in active coöperation with all of our different departments in various ways. In the first place, it works with the employment department. All newly employed men and women come to this division for instructions and tests before going to their prospective tasks.

As a result of these tests over one period of time only three people whom the vocational bureau passed have failed to make good, while seventy-two have been prevented from being hired for work which they were really not capable of doing. If the figures were taken for an entire year, the results would be even more interesting. For instance, in our wall paper division, we tested forty-six men who were hired in a few days' time. Five of these forty-six men proved to be color blind and not one of them knew that he was color blind.

The instruction sets forth the nature of the business; the firm's ideals of service to the customers and sense of responsibility for its employes; and emphasizes the various welfare and educational features available for all employes. Women are advised by the woman head of the educational department concerning appropriate attire for business and are instructed in matters of hygiene and business ethics. Close personal contact enables our instructors to become better acquainted with these employes and helps them to discover the future possibilities of their pupils. For example, a young woman with a high school or business college training, capable of being a good stenographer, because she has been out of work a few months, or because she lacks confidence in her ability to take dictation in a strange place, accepts work in some minor position. In this case she receives a smaller salary than she is capable of earning, she loses that technique she strove to gain in order that she might place herself in a class beyond the one she is now filling. The instructor notes this situation and later, when there is an opening for a stenographer, this young woman will be allowed, along with others, to try out for the position. Her experience in the house makes her more valuable than a new candidate. The same plan is followed with the men by the head of the men's educational work. This illustrates in a measure at least how valuable a personnel audit at time of employment is for follow-up purposes.

## ANALYZING THE WORKER

In order to broaden the scope of our study we next made an analysis of the worker herself. The following outline shows just how this was done:

- I Checker's individual history covering service here and elsewhere
  - A. Age
  - B. Education
  - C. Previous experience
  - D. Length of service here
  - E. Starting salary and advancement
  - F. Natural activity
    - 1 Incentive
    - 2 Promotion
    - 3 Instruction
    - 4 Training
- II Intelligence tests
  - A. Accuracy
  - B. Speed
  - C. Native ability
  - D. Ability to follow instructions
- III Firm judgment
  - A. Manager's and supervisor's opinion covering respective checkers
    - 1 Ranking
    - 2 Accuracy
    - 3 Speed grade

We next made an analysis of the work, which in this case is checking.

- I Elements
  - A. Familiar or routine work
    - 1 Comparison of figures
  - B. Unfamiliar work or irregularities
    - 1 Description
    - 2 Sizing, marking and numbering items
    - 3 Substitutions
    - 4 Explanatory stamps
    - 5 Quantity
    - 6 Technical or trade terms
  - C. Accuracy
    - 1 Relation to other activities
    - 2 Equipment
  - D. Speed
  - E. Instructions
    - 1 Printed
    - 2 Verbal

**F. Training****G. Supervision****H. Promotion**

- 1 To other work
- 2 From other work

After a careful analysis of the work and the worker we next determined the standard for the requirements or elements that go to make up the work of checking and, with the aid of the vocational bureau, a test was selected with which we were able to secure a grade on the desired qualifications. The outline of this test is as follows:

**A. Comparison, or checking of familiar or routine work**

- 1 Accuracy
- 2 Speed

**B. Ability to meet or grasp a new and unfamiliar situation**

- 1 Accuracy
- 2 Speed

**C. Ability to follow instructions****D. Native ability**

The results obtained from the analysis and tests have made it possible for us to work toward a standard for girl order checkers.

**I Classification****A. New employees****1 Experienced (six months)**

- a. Clerk
- b. Clerical
- c. Age
  - Preferable (21 years and over)
  - Acceptable (18 years and over)

**2 Inexperienced**

- a. Age (21 years and over)

**B. Transfer and promotion****1 Age (18 years and over)****II Intelligence test (75 per cent)****III Salary****A. Starting (\$8.00 and \$9.00)****B. End of sixty days (minimum \$9.00)****IV Promotion****A. Record clerk****B. Pricers****C. Mail readers****D. Supervisors**





The purpose of these records is not only to let us know more about what we are doing, but to enable us to place employes on work where they will not only be the greatest use to themselves but to the business in general.

To illustrate this point, I will cite a case that is typical of a number. Wm. K. was an order filler. The work in his department had been standardized by the department of efficiency. He had not drawn any particular attention his way in the past until the bonus was applied. Under careful instruction his record began to show very well. He earned a high bonus, about 50 per cent of his salary. He was taking an interest in the business. His record looked so good that we wanted to know more about Wm. K. It developed that this young man had real ability along advertising lines, and as a consequence, the educational department secured the much desired opportunity for him in the advertising department. He is there today and making good. It is safe to say that his ambition and ability would have led him from us had we not discovered it and placed him where he belonged. It was good for him and it was good for the business. This is just an example, we might say, of what is possible, but on a larger scale, when concrete and definite steps are taken to know one's employes. Such records make it possible to know the efficient as well as the inefficient.

Supplementing all of the foregoing analyses still another index or audit is maintained by the superintendent of employment. Twice a month he visits each superintendent in the house and talks "employes" to him. He secures a rating on each employe by the superintendent in charge under three classes—A, B and C.

An employe in the "C" class must reach the "B" grade in a reasonable length of time or we conclude that he is unsuited for his work and should not remain in it. This seems to clinch the other studies that are made in such a way that it is next to impossible for an employe to be missed or overlooked. Every executive studying his employes and recording his data in such form helps immensely in studying labor turnover problems.

#### MEDICAL AID FOR EMPLOYES

A few years ago there was passed, in the state of Illinois, a law called "The Workmen's Compensation Act." The text of the act covers many pages, but the definite idea and purpose of the bill is

the protection of the working people. Injuries received while in performance of the duties are compensated by specified sums. In case of death or injury, a sum based upon the annual earnings of the deceased must be paid to his beneficiaries by his employers. A similar law is in effect in many other states.

While the Workmen's Compensation Act serves an excellent purpose, its protection covers only persons injured while at work. As we use comparatively little high speed machinery in our plant, accidents to employes are few and rarely of a serious nature. On the other hand, the ordinary ills of humanity are always present and among our thousands of employes, a varying number are always in need of medical or surgical aid and the Workmen's Compensation Act does not cover cases of this kind. The prospect of the doctor's bill is always viewed with dismay by the working man or woman and the savings account shrinks sadly when the bill has to be paid. Realizing that the establishment of a first-class free medical department, relieving employes of the burden of expense consequent upon illness, would result in an increase of happiness, health and efficiency among our people, the move was made by this company on a broad and liberal basis:

The medical division in our Chicago plant, which is the largest of our stores, consists of a chief of staff, who is the head of this department, as any other manager is the head of his, three other physicians—two within the office and one for outside calls. There are, in all, four nurses—one who gives all her time to the doctor's office to assist in the care of the women, one nurse and her assistant who look after the work in the emergency rest room, one visiting nurse whose entire time is utilized in making follow-up calls for the visiting physician and in keeping an eye on the home conditions of the men and women.

With this force of physicians and nurses it has been possible to accomplish some rather remarkable results, the most notable being, no doubt, the feeling of health security that the employes enjoy. The main desire has been to stamp out tuberculosis, but tuberculosis has many ramifications—it involves a consideration of heredity, of bad housing and insufficient food, of questionable personal hygiene and surroundings. To consider the acquired disease only would be to take a very superficial view of it, indeed. It was to obviate its

incipiency that we adopted the plan of giving our men and women malted milk.

#### SERVING FOOD BETWEEN REGULAR MEALS

It has been observed by students of economics that a worker will apply himself with an upward curve of efficiency until about ten o'clock in the morning. From then on the curve begins to dip until luncheon time. His food and rest refresh him, and he works very well until about three in the afternoon. Again his work begins to lag, and reaches a low mark at about half an hour before closing time. It occurred to us that if we could anticipate these periods of exhaustion and prevent them, the saving in health and energy would in time be considerable.

We instituted the plan of serving free to every employe who our physicians thought would be benefited, at ten in the morning and at three in the afternoon, a twelve-ounce glass of malted milk, double strength. During 1916, 80,189 glasses of milk were served in our Chicago store. While the apparent expense of this is large, even from a business point of view, it is a good investment. The increase in energy and good-will more than offsets the cost of the malted milk. Naturally in so large a store many will come to us with hasty or insufficient breakfasts. They cannot do the most efficient work with empty stomachs. Out of a room where several hundred girls work, there were chosen at random twenty girls. In a period of six weeks the least gain in weight by any individual was ten pounds and by the most, twenty pounds. The most happy result, however, has been that we have been able to cut out iron tonics and cod-liver oil, with which we were accustomed to keep our girls built up. What they needed was food and heat units, and not the stimulation of drugs.

If mere numbers are interesting, it may be surprising to know how many people meet the doctors and nurses in a year's time. There were treated in the doctor's office of our Chicago store alone in 1916, 49,537 employes. Of this number, to be sure, many were subsequent visits of the same patient. There were 209 accidents of sufficient seriousness to cause the employe to seek the assistance of the doctors. That is a very small number, in a year's time, among so many thousands. There were ninety-five operations performed in the hospital, and 188 were cared for in the hospital for illnesses non-surgical. Our visiting nurse made 2,297 calls. While these

figures are large, we should not wish them to be interpreted as meaning anything half so important as the fact that so many have thus grown to appreciate our usefulness to them.

All employees may take part in the benefits of the medical service, but those who have served one year in the employment of the company become entitled to special medical benefits. The distinction between those who have served one year and those who have served less than one year is that the former receive attention either at the store or at their homes for illness or injury in all cases, under direction of the medical director or his assistants; while the latter receive attention in cases of illness only at the doctor's office in the store. In cases of injury the Workmen's Compensation Act requires a limited amount of service to the injured person, but the effective organization of the medical department enables the company to provide every necessary attention under the direction of the medical director for complete recovery.

#### INSURANCE FOR EMPLOYEES

July 1, 1912, the company inaugurated an insurance plan whereby married employes, of five years or more service, upon decease, would leave the following benefits:

Funeral and burial expense, \$100;

Pension to widow, 25 per cent of last wages;

Pension for one child 20 per cent additional, or for two or more children, 25 per cent additional. Therefore, for a widow and two children a pension of 50 per cent of the wage of the deceased employe would be left by him as a benefit that would continue in the case of the children as long as there were two under sixteen years of age. When only one child under sixteen years of age was left the pension for it would reduce to 20 per cent and at sixteen years of age this pension would cease. The pension for the widow would continue as long as she remained unmarried. All the above pensions are payable weekly.

For unmarried employes the insurance plan provides for benefits of

Funeral and burial expense, \$100;

One year's wages to beneficiary named by deceased employe.

The company pays the entire cost of insurance premiums, and

the only condition required is five years' service in the employment of the company.

The Employees' Mutual Benefit Society is an independent organization open to employees after one year's service. Employees pay dues of twenty-five cents, thirty-five cents or sixty cents per month, depending on classification. In case of disability from illness or accident, the society pays the sums of \$5, \$7 or \$10 per week, according to the class of membership.

The Employees Savings and Loan Association is a mutual organization to encourage thrift, create a savings fund, entitle members to borrow money therefrom, and distribute the earnings and profits among the members. At the present time the employees are depositing \$3,000 a week.

#### DENTAL CARE AND EDUCATION

Before installing a dental office to serve our employees we opened up correspondence with various corporations which were already operating a similar plan and received the benefit of their experiences. In one important respect we disregarded the advice of practically every concern with which we had correspondence. Invariably they advised us to confine our dental work to caring for emergency cases, making examinations, giving advice as to the care of the teeth and referring employees to outside dentists to have the work done. We felt that the price asked by the average dentist tended to prevent many people having their teeth properly cared for and we could not see how a dental office doing only emergency work and examinations would remedy this drawback.

Our employees have come to know, and repose great confidence in our medical department. In fact, its attitude toward them is distinctly paternal, services being rendered in a very kindly spirit. We felt that a fully equipped dentist's office doing good work at low prices would benefit by the confidence which our employees repose in our doctors and nurses. We, therefore, decided to equip such an office and announced that examination and emergency work would be free and that the charge of all filling, crowns, etc., would be simply the cost of the dentists' time without loss of wage by the employee.

Through contact with the employees the doctor's office had a record of a large number of persons whose teeth required care and advised the people on this list to visit the dentists' office. As a

result we immediately had several hundred applications for examinations.

Our plan of procedure is that after making the examination, the dentist gives the employe an estimate of the cost and asks him whether he prefers to have work done in our store or by his own dentist. Our comparatively low prices nearly always result in our doing the work.

We are employing at present in our Chicago store about 5,500 people and are now running three dentists' chairs all day. We have work enough engaged to keep the dentists busy for three or four months and find it is all they can do to take care of the examinations and free emergency cases between regular engagements.

We feel that the expense of rent, light, heat and employes' time lost is more than offset by the improvement of health, happiness and consequent efficiency of our people.

A desire on the part of the educational department to help employes get ahead led to the formation of evening classes in English and in the use of the dictating machine, comptometer, stenography, etc. On a class evening, a few minutes after the closing bell rings, young women throng into the recreation room, where a supper furnished at a nominal sum is waiting for them. After this comes twenty minutes of dancing, then classes in the subjects mentioned above and those in sewing, dancing, English, etc., meet until eight o'clock.

Classes for boys are held twice a week. Instruction is given in English and principles of the mail order business. We have enrolled in the classes a group of interested and ambitious young men from various departments of the store.

Our regular work day is eight and one-half hours, except Saturday. We close at noon on Saturday during May, June, July, August and September, and at 3:00 p. m. from October 1 to May 1, except during the rush period. Women employes are given ten-minute rest periods forenoon and afternoon. Comfortable chairs with backs are provided for all persons who work seated, with foot rests for those using high chairs. In wet and stormy weather dry stockings and skirts are loaned to women employes who reach the store with wet feet while their own apparel is being dried. Umbrellas are loaned to employes when it is raining at the closing hour. In order that women employes may procure seats in the street cars

they are permitted to leave the store ten minutes before the closing hour for men. Sanitary bubbling drinking fountains are located at convenient spots throughout the store. Sanitary toilets and wash rooms and individual towels are provided for men and women, also storage for employes' bicycles, motorcycles and automobiles. Ample fresh air and light are features of the store. All employes who have been in the company's service previous to October 1 of each year receive a vacation with full pay the following summer. Promotions are nearly all from the ranks.

#### GENERAL WELFARE WORK

In its relief work the welfare division is an instrument of co-operation between the managers of the divisions, the head of the educational division, the welfare visitor and the medical staff. In order that this coöperation may be effectual, there exists a committee composed of two representatives from each section of the plant, a man and woman whose function it is to become acquainted with their fellow workers so that they may assist the manager in dealing with problems of relief and advice. The manager reports to the head of the educational division cases which he wishes to have investigated, and those upon which he desires advice or assistance in any special way. If the case is one which has to do merely with an inside situation, the head of the division may attend to it alone. If home problems enter in, the welfare visitor goes to the home and reports conditions. Upon her discoveries is based, to a large extent, the nature of relief. For instance, she may find seriously ill a young woman who has not worked for the house long enough to be entitled to membership in the Employes' Mutual Benefit Society. Since she is the sole support of her widowed mother, their income has ceased. In this case the visitor may suggest that a month's rent be paid, a supply of groceries and fuel given, and medical supplies sent from the doctor's office. This department has worked along with the medical staff in cases of lingering illness, supplying weekly orders of staple groceries, rent and fuel, for periods ranging from several months to two or three years.

Other forms of relief are disability allowances, transportation and small loans for a few days. Loans of larger amounts are made by employes in crises which necessitate larger single expenditures at a given time than they are able to meet. This money is loaned

without interest and taken out of their wages in weekly installments. This is done to discourage them from patronizing installment houses and loan sharks.

Besides giving financial aid this division is frequently asked to help those who need to be put in touch with other social agencies and institutions. Service in such instances often mean going with the one in trouble to the Court of Domestic Relations, the Legal Aid Society, and other such places. The presence of someone in a position of influence gives confidence to the one in trouble and insures a more intelligent interview and full consideration of the case.

In connection with the educational division is a branch of the Chicago Public Library. The city furnishes books free. The company furnishes the room and a competent librarian who selects carefully the list of books for the shelves. A supply of approved technical books on business subjects, advertising, office management, scientific business management, etc., is always available and employees are encouraged to avail themselves of these opportunities for acquiring valuable knowledge.

A restaurant is maintained which furnishes palatable, properly cooked food at cost to our employees and patrons. Our Chicago restaurant will feed as many as 2,500 persons in a day. Tables and chairs are provided for employees who prefer to bring their lunch with them.

The monthly noon musical in the recreation room is a cultural feature of the social life. From 11:30 to 1:30 a program of instrumental and vocal music, and such special attractions as whistling, quartettes, orchestra and chorus work is given by the employees. It is on these occasions that one becomes acquainted with his fellow workmen. In this group one finds leaders of choirs, members of bands, and of orchestras, amateur performers of ability and even a composer of popular songs.

While the recreation room is for the exclusive use of the women for dancing during the noon period, it is used for dances for men and women at other times. Any division properly chaperoned can give a dance here and this privilege is frequently taken advantage of on Saturday nights. One large division dances for an hour every Friday evening after work. Though three hundred can be accommodated here it is too small for the big general affairs which are given several times each year. For these larger quarters are provided.



The Employees' Mutual Benefit Society gives a picnic each summer. This is a gala event of the season. The store is practically closed all day, all who wish to attend the picnic being excused with full pay for the day. The 1916 picnic at Riverview Park was attended by 8,000 people. The program of games covered a period of about five hours and prizes worth \$250 were given.

Among the social features for employees are girls' clubs, bowling leagues, a billiard league, and an orchestra, athletic fields with baseball diamonds and tennis courts.

Restaurant and dentists' service are furnished at cost. The Employees' Mutual Benefit Society is maintained by the employees themselves. Life insurance, medical services, nurses, hospital fees, ambulances, medicines, malted milk, welfare and educational work are the free gifts of the company. There is no expense whatsoever to employees. It is a matter of reciprocation. The employees are encouraged to give the best services to the firm, the firm in appreciation offers to aid in the conservation of their health, their mental improvement and in the protection of their families in case of death.

The result of all these things is that throughout the entire business there exists a spirit of loyalty and solidarity that could be effected in no other way. We believe it pays to know our employees.

## PLANNING PROMOTION FOR EMPLOYEES AND ITS EFFECT IN REDUCING LABOR TURNOVER

BY PHILIP J. REILLY,

Employment Manager, Dennison Manufacturing Company.

The labor turnover figures of many industries are sometimes increased because no studied effort has been made to plan the promotions of worthy employees. In many industries it is possible to promote employees systematically. When this can be done, it is well worth while to establish a policy of regular promotions, and to adhere to it as far as practicable when filling any positions of preferment.

In our manufacturing organization, the majority of the occupations furnish in themselves sufficient scope for promotion, since they enable an unskilled worker to become skilled and to earn a wage that will be equal to or even better than the wage earned by the average worker in the trades. Any plan for regularly advancing employees must provide for a rerating of employees at certain intervals even in these occupations, so that deserving employees will be granted unasked-for pay increases. To effect this result, we have established the policy of going over the records of all our employees once a month, for the purpose of rerating them. This is done by the department heads. In addition to this, the employment department checks up the pay rates in such occupations at regular intervals so as to bring up for promotion the names of any employees who may have been overlooked.

Some of our occupations, however, do not in themselves offer to the ambitious employee much opportunity of advancement. These jobs are merely used as feeders to positions with chances for advancement. When such positions are so used, we find that a higher type of employee can be attracted since many industrious applicants will, for the time being, accept positions whose requirements are somewhat beneath their capabilities, provided that a way of escape is open from these positions into the more desirable ones.

The job analysis form which we have on file for each position in our industry indicates the lines of probable promotion from the feeder positions. The information given by this form enables the

selector to inform an employe engaged for "jogging" in our label department that he will get the first chance on guillotine cutters, when a vacancy occurs. Employes engaged for chopping in our board department will get the first chance on paper cutting when a vacancy occurs. Truckers in our shipping department always get the first chance to do packing; and in the same department, bundlers and order-fillers get the first opportunities to do checking. The latter named positions are the better paid and usually the most satisfactory to the average employe.

Thus we have developed in our business outlets to better positions from practically all the feeder jobs. This practice results not only in obtaining a better grade of employe for the feeder positions, but also in making better workmen of the employes when they reach the higher positions by virtue of their experience in a connected line of work.

This plan also takes care of the large proportion of our transfers; but an employe is free at any time to come to the employment department with a request to be transferred. In 1916, 60 per cent of our transfers were made by the employment department for the employe's advancement, while only 5 per cent were made at the request of the employe. If this group of employes had left dissatisfied, our labor turnover would have been increased 10 per cent.

We have found that there are certain types of positions which are more attractive than others to our employes. In filling these, older workers are given preference, other things being equal. Clerical positions are always sought for. Any positions which are much sought for usually have a small labor turnover. This is true of clerical positions. Therefore, we have found it possible to place in clerical positions only a fraction of our applicants. This is especially true in June when high schools and business colleges are graduating additional applicants for these positions.

We have found many applicants who, unable to obtain clerical positions immediately, are willing to take factory jobs, provided they are assured that they will be given consideration for clerical positions when vacancies occur. Under these circumstances, applicants are placed in various factory positions, which do not require a long period of training, and from which they can be promoted to good advantage into clerical positions. A record of the applicant's preference for clerical work is kept in the employment

department, and when vacancies occur, this record is consulted and applicants selected from the factory for office work.

Of course for certain positions, requiring training along special lines, we must employ outside applicants from our waiting list. In the large majority of cases, however, the clerical positions are filled by employees who are on our factory pay roll. We have found that in the more difficult clerical positions, the employees who have had factory training are more satisfactory than the clerks who are hired direct from the outside, who have had no training in our business. Aside from this advantage, we find that the free flow of workers from factory to office rather makes for a democratic feeling, since there is less class distinction between the office and factory group when the office group is largely composed of former factory employees.

Desirable positions are open from time to time toward which none of the regular factory positions naturally lead. These usually consist of special jobs, requiring unusual qualities or exceptional ability. One means of discovering employees who would be in line for such positions is to develop a list of exceptional employees. Our record for this purpose represents employees who are above the average in their present jobs, and who could probably fill positions of more responsibility. Two or three names are selected from this list, and a decision made as to who should be placed in the position in question.

In our industry, this list is developed and used by the personnel committee, which is a subcommittee of the executive committee of the factory. Names are added to this list from the reports this committee receives from time to time from foremen and department heads.

The listing of names of worthy employees, when solely the act of the management, may occasionally overlook some employees who deserve recognition. To prevent this, we invite employees who feel that they deserve promotion to seek an interview with the personnel committee. Thus an employee by writing a request and dropping it into the suggestion box, may obtain an interview. The suggestion department delivers all such communications to the employment department, which obtains the data covering the employee and presents them to the personnel committee for study at the time it is ready to meet the employee.

The policy of having regular promotions for employees is not always easy to follow; but when generally adhered to, it yields very happy results. It may appear to mean additional work for the employment department because at least two, and sometimes several, employees are affected every time a vacancy at the top occurs, but this long-sighted policy will usually compensate for itself in the final result that it brings.

This results in developing an organization of employees who are versatile, because most of them have had experience at more than one job. Such an organization will function more smoothly and engenders loyalty and *esprit de corps* because of the satisfaction felt by employees who have had the chances their abilities deserve. Finally, it reduces measurably the labor turnover because there will be few if any exits from the pay roll due to employees having had no chance to get ahead.

In adopting a policy of systematic promotions, a fundamental principle is to plan in advance the channels of promotion within departments and from one department to another, and outline these channels on the job analysis form.

The next principle is to keep a practical record that will reveal promising employees, and to record separately special training or aptitudes which certain employees have, and which can be used in higher positions when vacancies occur.

The third principle, which is of extreme importance, is to choose from your present force first for all positions vacated, except the feeder positions. The fourth principle is to invite employees to request promotion when they are dissatisfied with their present positions.

Whether promotion is deserved or not, discussing the matter with any employe in an organization results in a better understanding; and if the promotion is not deserved at the time the request is made, the employe can be encouraged to win it by making every effort in his present work, or by devoting his spare time to the study of the particular subject that will fit him later for the promotion he desires.

## THE REDUCTION OF ABSENCES AND LATENESS IN INDUSTRY

BY JOHN S. KEIR,

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University of Pennsylvania.

It is, perhaps, heresy to quarrel with an old adage. In line, however, with a current bit of philosophy that it is as expedient to be hanged for a sheep as for a lamb, this paper will take issue not with one old adage, but with two. There is a proverb that to be absent makes one conspicuous. Another holds that the absent are always guilty. We wish to take the ground, that neither of these is of necessity true. As it is an economic axiom that no progress can be made until there is a definition of terms, it is necessary, before going further, to understand that "the absent" under discussion are the industrial absent. And by "the industrial absent" are meant—Jones, the machinist, who does not come to work on Monday morning and Smith who loses half a day on Wednesday. By absence we do *not* mean labor turnover or unemployment. Absence is unquestionably a factor in labor turnover, but for our purpose the terms are by no means synonyms. Turnover is the broader term.

It is said that a man's, or firm's, pocketbook is a vital organ. It would seem then that anything connected with the apportionment or outlay of the purse's contents would be known to its owner. But there are practically no figures obtainable on the exact cost of industrial absences. Moreover, as one firm admits, most estimates in this connection are not estimates at all; they are simply wild guesses. Closer estimates, however, may be made in an indirect way. For instance the L. Bamberger Company of Newark estimates that they have to employ 5 per cent more people than is absolutely necessary because of the factor of absence. The Dennison Manufacturing Company figures the average wage loss to be forty-two cents a week to each female factory worker, and forty-nine cents a week to each male factory worker, these figures based on the average weekly wage being paid at the time the study was made. The total wage loss is \$50,000 a year. A concern in Detroit is spending \$50,000 a month

to prevent absences; and the firm considers the money is well spent. At one time, the Beacon Falls Rubber Shoe Company found that they could rely on only 60 per cent of their workers showing up for any one shift. The Curtis Publishing Company reports an average of forty-two cases of absence in every 1,000 employe session during the month of January, 1917. The Crompton-Knowles Loom Works finds an average absenteeism amounting to  $8\frac{1}{2}$  per cent. If these figures be multiplied by the 270,000 industrial concerns that there are in the United States the cost and the amount of absence looms tremendous.

That this amount of industrial absence is not conspicuous and is not, particularly, under the suspicious eye of the purse holder, is a curious fact. Only about one out of twelve concerns makes any effort to check up or remedy this condition.

In discussing the second heresy, namely, that the absent are not of necessity guilty, it is essential that investigation shall go into considerably greater detail than was the case with the first. In the first place what causes lie back of absences? In the second place, what various methods have been employed to overcome or combat absences?

In taking account of the reasons back of absences, it must be understood that those mentioned in no way constitute the complete list. It is a question whether or not a complete list could be obtained no matter how exhaustive an investigation might be made. Only those causes most evident and generally recognized will be discussed.

A prolific source of absence is latenesses. This may seem a paradox, yet the connection is a fairly obvious one. Here again exact figures cannot be quoted, but a few general examples will suffice to bring out the point. A great number of manufacturing plants adopt a policy of locking their gates at a certain time in the morning or afternoon, and keeping them locked until that particular work-period is over. The Cleveland Metal Products Company, for instance, after 7:15 in the morning is closed to the employe until noon. The Fore River Ship Building Company closes its plant to the straggler after 7:45 a.m. and 12:45 p.m. The General Electric Company at Lynn follows this same idea, as do many of the large textile mills at Lowell.

The first cause of lateness is poor transportation. This is

particularly true for those people who live outside the city and come in for their work. For example, one employe of the Lanston Monotype Company in Philadelphia owns a farm in New Jersey. The transportation facilities are such that he has to get to the factory either a whole hour before the plant is scheduled to start, or come in fifteen or twenty minutes after it has started. He generally chooses the latter. The foreman or executive, of course, has the right to tell him he must get there on time or not come at all and to do it without looking up the actual conditions and attempting some adjustment fair to both the man and the firm. This particular man has been with the company fifteen years, and to give up his farm in New Jersey would be a severe financial blow to him. Such problems are very frequent, under the present haphazard system the individuality of the person in question too often is the deciding factor in meeting issues of this sort. Transportation tie-ups within the city or town are too common to need any further discussion.

Another obvious factor is the weather. Any school teacher is familiar with the increased tardiness on dark winter mornings. In a class of sophomores at one of our large universities, on a dark morning in February, eleven out of thirty were five minutes late. The Curtis Publishing Company finds the same is true of its working force.

The "habit of lateness" is another big factor. In our childhood days we all probably heard of the ten o'clock scholar, and we find him in business as well as in school. One executive has said that nearly 90 per cent of all lateness is simply "habit." Possibly that figure is exaggerated. But the habit is all too prevalent at best.

The actual location of the time clock should be considered in its relation to lateness. "When is an employe late?" Must he be at his post, or simply in the factory is a question which an employer should have in mind before he locates his time clock. Sometimes the clock is placed in the department, sometimes at the main entrance. For example, at John Wanamaker's Philadelphia store a girl rings up at the time clock which is nearest to her department, but she is supposed to be at her place when the store opens.

A great many of the causes of lateness are identical with the causes of absence and may be considered under that heading. A most important excuse for absence is sickness. Thus the L. Bam-



berger Company find that out of a total daily absence of .052 per cent, .033 per cent is due to sickness. The Edison Electrical Company of Boston places it at 2.5 per cent of all their absences, while the Hood Rubber Company places it as high as 60 per cent. Of course, "sickness" is a term which covers a multitude of sins. Some of it is not very serious, and some of it is entirely assumed. One firm has called it a "lack of gameness," a giving in to the slightest indispositions. It forms the handiest excuse, if an excuse is needed. Of actual handicapping sickness, however, there is enough to warrant consideration. The two most prevalent diseases are alcoholism and stomach trouble. In alcoholism, the location of the saloon has a direct bearing on this particular problem. There is a town in southern Connecticut which has fourteen saloons within three blocks of its busiest manufacturing plants, and within easy reach of a great many homes of the men who work in the plants. A mining town in Pennsylvania has saloons as near the shafts of the mine as the company will permit. "Stomach trouble" covers a multitude of ills, aches and pains.

With sickness is the whole gamut of industrial accidents. These, too, form a common cause of absence. The United States Steel Corporation found that over a period of six years with three hundred days counted to the average year, and in a plant employing 6,600 men, the amount of days lost per worker was 6.2 per cent in the steel works where the accident rate is high, and 2.4 per cent per man in the yards where the accident rate is relatively low.

The time of year affects absences. It has been found that school attendance is best during autumn and spring; that in the New York schools the largest number of absences occur in January; and the next largest number occur in June. Unfortunately no figures have been collected to show the results of this influence on industrial concerns.

The day of the week unquestionably has a place. "Blue Monday" has a very real ring from the manufacturer's viewpoint. The Dennison Manufacturing Company finds its largest percentage of absences on Monday. The Fore River Ship Building Company, over a period of two months, finds a consistent average of 10 per cent of absenteeism on this day, with, oddly enough, Thursday morning as a close second with 7 per cent. The Cleveland Metal Products Company has epitomized its situation as the "Monday

habit." The causes of Monday's prominence are legion. A great majority of executives seem to feel that much of the Monday absence is entirely voluntary and could be avoided. The common practice of paying on Saturday might be a factor in this question, for with his pay in his pocket and a day and a half off, there is nothing to keep Jack a dull boy—until Monday morning. Almost any pay-day will breed a certain amount of absence. Some firms have discontinued the Saturday pay-day.

The time of day also enters in. The Hood Rubber Company reports a 10 per cent absenteeism from the night shift as against 8 per cent from the day shifts.

The days after holidays come in for their quota of blame. The Fore River Ship Building Company quotes an increase of 3 per cent after a holiday. In a large university, out of a class of thirty-eight, only seven reported at the first meeting of the class on the day college reopened. Dr. Ellsworth Huntington, in a study of a Cuban cigar factory, says that the Cubans have a great aversion to working on Monday, the day after their very real and strenuous Sunday holiday. Only a small portion of the force appears; those that do come arrive late, and get only 80 per cent as much done as on other days.

Let us consider next some of those things which have more to do with the workers personally. The sex of the worker makes a difference. Nearly every concern which employs both men and women, such as, for example, the Esterbrook Pen Company, and the Campbell Soup Company, finds that, not only is there a higher turnover among the women than among the men, but also that the percentage of absence is greater in the case of the women. The A. M. Collins Manufacturing Company carries out a premium scheme *only* in the case of its women employes, because it was among them that the greatest amount of lateness and absence existed. The Dennison Manufacturing Company has been the best source of information on this point. They have found in the factory departments an absentee record of 5.2 per cent among the women, 3.5 per cent among the men; in the factory clerical departments the percentages were just alike; but in the clerical sales division, again, the women showed 2.6 per cent as opposed to 1.1 per cent for the men. In the office force there was thus no difference, while in the factory department the difference was striking. In

general, tardiness among women employes probably rests upon two main elements, physical limitations and home responsibilities. Many girls try to carry on a home job and a shop job at the same time, and it is perhaps a safe assumption that both jobs suffer.

The type of wage payment is another factor. Does the piece worker, because he can hurry and make up lost time, and because his time is in a sense his own, take a day off with an easier conscience and under less provocation than the day worker? Certainly it is open to argument.

Together with this question of wages, we must also consider raises in salary. Some men have said increasing pay means decreasing attendance, and others have taken the opposite view. The Fisk Rubber Company says that some of its men, who make eight dollars a day, argue that they can make enough in five days. The Cleveland Metal Products Company assumes that present high wages lead to a greater use of intoxicants and consequently to more frequent "lay-offs." On the other hand, these last few years have witnessed all kinds of bonus systems, profit-sharing schemes and blanket raisers. It is by far too big a problem to warrant any positive statements.

A rather nebulous factor in absence is an indefinite thing which we might label as the discontent of the worker. This discontent may arise from conditions outside the factory, such as lack of recreation in the locality, or from conditions within the factory, such as dislike of his particular job or friction with his foreman or with the men of his shift. It is almost impossible to measure or to trace the definite influence of an element of discontent, but it must be mentioned in passing, for it unquestionably has a definite effect.

The industrial situation and the condition of the labor market play a very important rôle in latenesses and absences. The Crompton-Knowles Company accounts for nearly all its absences on the ground of abundant work. In addition to the ease of obtaining a new job, the present high wages make the financial loss of an idle day or two a matter of no account. The Cleveland Metal Products Company finds that there has been a decided increase in the number of absences during the past year, and they attribute them to this cause. Tardiness has also increased in this firm, running a little less than 1 per cent of their entire force. The Joseph and Feiss Company show an increase in absence of 2.5 per cent per day in 1916

against 1.5 per cent per day in 1915, a change which they attribute to the present condition of the labor market. In a large shoe company in Philadelphia conspicuous signs are posted calling attention to the rules regarding absences and lateness, but one of the executives admits that in the past two years they have made no effort to enforce them.

As a last cause for absence we place the weather. It is perhaps because this reason is so obvious, that no one has ever taken the trouble to analyze it carefully. Probably the best work that has been done in this connection is a study of school children in New York City and in Denver, Colorado, made by E. J. Dexter. There is a great difference between the ten-year old school boy and the thirty-year old machinist, and yet these results might have some comparative value. It was found that on cloudy days attendance was not so good as on bright days. Fifteen per cent of all absences occurred at a time when the temperature was lowest, and the next largest group occurred when the thermometer registered above ninety degrees. The number of absences increased when the humidity was high, a thing not so hard to account for, high humidity almost invariably causing rain. Oddly enough the attendance of the boys seemed to be more directly affected by the weather than that of the girls.

There are other causes of absence for which firms are themselves directly responsible. Such things as a fluctuating work schedule and shutting down for inventory quite naturally make for an increased absentee record. The workman pays for this in time lost. But absences of this nature breed labor turnover, and for labor turnover the companies pay. Possibly the accounts balance.

So far we have been dealing with causes. Remedies must follow and of these there are two kinds: alleviation and prevention. Either or both must be sought and tested to fit individual and localized needs.

We have said that one of the causes of absence is lateness. If therefore we do away with lateness, *ipso facto* we may cut down absence. The "habit of lateness" is different. A student in a large lecture course in one of our universities came to class five minutes late eleven times in succession. Nearly all latenesses occur within the first half hour; 95 per cent is the estimate of the Midvale Steel Company, and the bulk of this 95 per cent is within the first ten

minutes. To combat this condition, this company levies a small fine on latenesses that occur within the opening half hour. The University student may be given half cuts. For an office force, it is said that a time clock is a great incentive to develop the habit of being on time—although a time clock is irritating to nearly all office men. Often a timely warning will serve to check the habit. An executive of a scientifically managed concern, found that one of his stenographers had the habit of being a little late. One day she failed to appear at all and he advertised for another stenographer. It so happened that she had a legitimate excuse for this particular absence; but when her lateness record was shown her she had no excuse to offer. She asked, however, for another chance, and during a period of three months since that time she has not been late once. The habit, however, is not always so readily and willingly broken.

The question of docking for lateness is much the same as the question of general docking for absence. There are, however, one or two systems which apply more particularly to lateness alone. Thus for example in the Cleveland Metal Products Company, for any fraction of time under fifteen minutes, a man is recorded as, and docked for, the full fifteen minutes. The Leeds and Northrop Company have a five and ten minute plan. If a man is late five minutes he is docked half an hour, ten minutes a full hour, etc. Schemes of this sort meet with varying success. A device which brings very real results is one which makes lateness difficult. If a man arrives late at the gate of the Fore River Ship Building Company and feels that he has an excuse, his case has first to be referred to the chief time keeper who in turn refers it to the foreman. If the foreman is willing, the man is admitted. It is found that the majority of men will make a special effort to be on time, rather than have to go through such a process. At Strawbridge and Clothier's store in Philadelphia those who are late must go to a central desk and sign a slip, with the result that latenesses are only about 2.5 per cent as against a former record of from 5 to 10 per cent. The J. B. Stetson Company requires a pass to be obtained before the tardy operative is allowed to enter his department. These passes are then filed and kept for future reference. At the plant of the Plimpton Press the "lates" report to the employment department. Then they fill out a "late" ticket giving the operative's name, his

number and the reason for his tardiness. Combined with this, is a sort of docking system also. If the employe is excused he is paid from the time he reports to his work place; if he is unexcused for any time before 8:30, he is given an 8:30 ticket and loses all time previous to that hour. The average per cent of lateness per working day in this plant is now only 2.47 per cent.

A variety of other devices of a similar nature are employed all with the same end in view, namely, to put a premium on coming in on time, by making it financially or conspicuously troublesome to come in late.

Docking is a device with which we are all familiar. To the piece worker docking is, perhaps, not serious for it is possible for him to make up the money loss by extra effort. The day worker does not have this opportunity. The Midvale Steel Company has a very definite system of fines for all sorts of minor offences. At the Curtis Publishing Company's plant any unexcused lateness is fined at the rate of time and half time salary rate. The German American Button Company levies a small fine for lateness, the proceeds from which are placed in an employes' trust fund for the financial support of general employes' activities. There seems to be a growing feeling against fining systems. Any such system becomes dangerous unless the employes know where the money from such fines goes. Moreover, a fining system is not usually adequate, for many employes will pay the fine feeling that in so doing, all responsibility on their part ceases.

The careful records of lateness and absence which are kept in any up-to-date employment department serve as an indirect fining system, since a man's record is a factor in determining whether he shall receive a raise for which he has applied. Thus, in combating lateness and absence, the A. M. Collins Manufacturing Company feels it is fundamental that the employes shall realize that those in charge know how often they are late and how often they stay out all day. To this end the firm prepared a card which shows the total possible number of hours for any one person to work, making allowance for holidays, shut-downs and things of a similar nature. The employes' record is kept on this card and it shows at a glance the comparison between the actual hours which he has worked and those which he might have worked. These cards are kept with other in-

formation and often form the basis for salary raises or for promotion, or supply the grounds on which either may be refused.

It has been said that one of the main weaknesses of our municipal governments is that no one is responsible. Centering responsibility for civil evils tends to remove those evils. This is perhaps true likewise of industry in general and of our problem in particular. The one exception to this has been the case where the responsibility has been centered on the foreman alone. That is not an altogether fair statement either, for the problem of absences is only one of the many that a foreman has to solve. We have seen how keeping records is one way of centering responsibility and it is possible to have a concentration of responsibility for lateness and absence. In this connection the Crompton-Knowles Company believes that continued pressure from high authority is the best way of keeping absences down to a minimum. (The absences are reviewed by the general superintendent, and by the works superintendent who in turn take them up with the department foreman. In this way the number of absentees has been reduced 30 per cent within the last six months. The Dennison Manufacturing Company on the other hand has given up the idea of concentrating the responsibility on the foreman alone. One of the most efficient methods is the posting of comparative bulletins. The Crompton-Knowles Company compiles a monthly report of its absentees, and it is the desire of the foremen to make a good report that stimulates them to give this problem its due attention.

In 1913, the Curtis Publishing Company began posting bulletins showing latenesses by division, and the standing of each division in reference to the others. Just recently absences have been added to this bulletin. From 1913 to 1915 latenesses were cut down from thirteen per one thousand to nine. Borrowing this idea of stimulating rivalry between the departments, Strawbridge and Clothier worked out a similar scheme. At first the bulletins were not issued but were simply sent to the department heads, and this system alone cut latenesses in half. The Lanston Monotype Company also posts a comparative bulletin, with the result that their absence record, while never very high, now runs less than 2 per cent.

In the Bridgeport plant of the International Silver Company, rivalry is stimulated among the various departments, by posting the record of their service reward by departments. Within each de-

partment itself a bulletin is posted showing the percentage of people earning service rewards in that department. To the department which makes the best record in a given week, a banner is awarded. This seems to have brought results. The man who loses his service reward is laughed at by his comrades, and continued absenteeism threatens his popularity. The success of any such plan will depend very largely on the way the banner is presented.

This centering of responsibility has so far been very largely in the department. In order to improve its operation, Strawbridge and Clothier adopted a plan of posting the names of those who were late more than twice in the same week, with the result that the ratio was still further cut. The Dennison Manufacturing Company sent out a series of absence slips to each department. On these slips are entered all absences, whether excused or unexcused. The slips are so arranged that no broken time can appear on an employe's clock card without an absence slip explaining this loss. The object was to make sure that all lost time was reported. With this record, tabulated each month, individual cases are taken up with the employment department. If a loss is due to an operative's home duties she is asked to correct it, or else to give up her position. This centering of responsibility by the posting of bulletins is an interesting commentary on the power of publicity.

Thus far, there has been no quarrel with the adage that the absent are always guilty. In a sense this is correct, for all these systems are based on the philosophy that the absent are guilty—guilty in the sense that absence is an individual matter over which a concern has no control. Herein lies the point of difference, for there is a control that can be and should be exercised by the employer. An ounce of prevention is said to be worth a pound of cure. We have just been discussing the pound of cure. The ounce of prevention is rather a new departure.

One of the first plans which has been put into practice has been the rewarding of punctuality and regularity by means of bonuses. These may take several forms. Some are purely cash, some are cash plus the added incentive of a vacation, some are simply tokens of one sort or another.

The Beacon Falls Rubber Shoe Company, in order to induce their force to be punctual and steady, adopted the scheme of paying a dollar a week bonus to any employe who turned in a perfect ticket



for a week. This had the result of reducing their absentee record by nearly thirty per cent. The Detroit Steel Casting Company gives a bonus of twenty-five cents for each working day during the payroll period. Thus if an employe works a thirteen-day period he receives a total bonus of \$3.25. This system has only been in use since July, 1916 and has not had time to prove itself. The company feels that it has done much to keep the men steadily at their jobs. At the Bridgeport plant of the International Silver Company they have instituted a service reward scheme, whereby the company pays 5 per cent of a man's weekly salary if he is neither absent nor late during the week. This service reward is paid four weeks after it is earned, providing of course the man is still in their employ. At the outset only 69 per cent of the force qualified for this bonus. At the present about 81 per cent qualify and the percentage of absence and lateness has been cut from 46 per cent to 33 per cent. It is perhaps well to bear in mind, in this connection, that labor conditions in Bridgeport have been about as acute as in any city in the Union. The bonuses mentioned so far have simply been cash payments.

Some concerns go even further. The A. M. Collins Manufacturing Company, for example, decided upon a premium of a week's vacation with full pay to every woman employe who during the year had not lost more than ten full days. The Saturday half day is counted as a full day. Absence is excused in cases of sickness if a doctor's certificate is presented. The company feels that while all the employes should have a vacation, the results are much more beneficial when the employe knows that the time he is losing is not costing him money. Forty per cent of the employes of this concern now receive a vacation with pay. The Leeds and Northrup Company give a bonus of a quarter of an hour extra each day, i.e., an hour and a half a week to those employes who are on time every day. They also have a vacation plan, based on service. Any person who has worked with the company five years is entitled to a day's holiday with pay for each year he has been with the company. Thus a seven-year man will get a seven-day vacation with pay any time he chooses between May and September. The foremen and office force are allowed to take their vacations—and in their cases these days are extra for in any case they receive a two weeks vacation with pay, at such times as they see fit, a day at a time. This of course gives them a feeling that they are on their own time and not asking any

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favor of the company. Over 50 per cent of the present force has been with this firm five years.

The Curtis Publishing Company, as a recognition of satisfactory service, based on unusually good attendance or promptness, gives out each year a series of tokens as awards. This may take the form of the original of a painting reproduced in one of its publications, or a set of books. In 1915, 850 awards were given out. One hundred and fifty-six of the force were neither late nor absent. Five hundred and sixty-three employees were not late during the year, and 92 had a perfect attendance record. Twenty employees of this concern have been neither late nor absent for five years. The Kerite Cable Company gives turkeys to many of its employees each Christmas.

Several other concerns, while they have no bonus system at present, are contemplating the establishment of one in the near future. The Dennison Manufacturing Company is contemplating to pay a bonus for perfect attendance over a period of six weeks. They expect to pay this in a pay week in which a holiday occurs, which would virtually give all hour workers a chance to pay themselves for each holiday simply by being present every working day. For this purpose the working year is divided into eight periods of about thirty-eight days each. The Hood Rubber Company also is considering giving a bonus, and many others have plans in the making.

Another factor, ranged on the preventive side, is that of home visiting. This method suggests both cure and prevention. It may be carried on as part of the work of the employment department, but is often done by firms which have no regular employment office. The first work of this sort was developed by the Ford Motor Company and was at first severely criticized, partly from the fact, as some one has pointed out, that this concern has the unfortunate habit of doing things first. But be that as it may, every morning the time department turns over to the investigating staff a list of absentees of the previous day. Each absentee is carefully looked up. The result has been that where formerly the daily absences totalled about 10 per cent, the number is now less than one half of 1 per cent.

The Cleveland Metal Products Company has found this system most satisfactory. They employ two nurses, one of whom stays in the dispensary while the other visits absentees. These

best system

nurses are provided with automobiles in order that as much territory as possible may be covered. The visits of one nurse cut down absentees in this concern from 5 per cent to 3.5 per cent, and by employing two nurses the absenteeism in 1915 was only 1.9 per cent. The Bamberger Department Store visits the employe in cases of sickness. Hart, Schaffner and Marx follow out this same idea, working through their medical department, and have found that one visit from the nurse, is in almost all cases sufficient to reform the unnecessary delinquent.

By no means all of such plans meet with entire success. We quote a paragraph from a letter from the Fisk Rubber Company—

The system we had in effect was satisfactory enough, but the principle evidently was wrong as the percentage of absentees was not cut to any extent. Our plan of operation required two nurses, two automobiles, with the necessary chauffeurs, and three clerks with the necessary supervision. After a while the men became very clever with their excuses, and as a matter of fact there never was so much bowel trouble and headaches since the world began. To much time and money are consumed by the endeavor to visit all absentees. I think the proper way to handle this would be through a labor tracer, etc."

The work of employment departments must not be overlooked as an element in the ounce of prevention. Many of these today carry on physical examinations which determine the physical status of a man before he ever takes a job, and then to maintain his fitness after he has come to work. The Joseph and Feiss Company maintain a physician, an oculist, and a dentist for these purposes.

Another feature of the operation of an employment department is the following up of the work of a man after he has taken a position. Thus the coupling of the right man to the right job relieves a great deal of that discontent which fosters so many industrial ills. Unfortunately it is not possible to measure discontent in figures; (but it is obvious that a man contented with his job and surroundings is apt to work more steadily than one who is not.)

We hear a great deal in these days about "safety first." The application of this slogan to industry has meant the material cutting down of accidents, and this has meant the reduction of absences. For instance in two huge steel plants, of approximately the same size, plant A has used methods to prevent accidents, plant X has used none. In plant X, in the steel works, the number of days lost

per man over a period of three hundred working days is 16.9 per cent. In plant A this percentage is only 4.7 per cent. In the yards of plant X the average daily loss is 4.2 per cent, while in plant A it is just half that or 2.1 per cent. In this campaign of "safety first" the workmen's compensation act has been the largest single factor in the reduction of accidents.

The prevention of unnecessary fatigue has some bearing on our problem, as it avoids lateness and perhaps absence during the next working period. The Joseph and Feiss Company combats fatigue by a change of work at given periods. A certain machine company shuts off its machinery absolutely during a stipulated part of each day. But here again we simply have opinions and no figures.

The use of alcohol is an ever troublesome problem. Some firms refuse to employ a drinking man. In plants where there is night work and nearby saloons, it often becomes a serious problem to get the men to return to the shop on time when the work recommences, after the shut-down at midnight. To combat this condition the Philadelphia plant of the Barrett Company shuts down for only half an hour at midnight, this time being shortened at the other end. It then serves coffee to its employes free of charge. The result has been that of the seventy men who used to go out at this time, now only four leave the premises. It is possible that desirable lunch rooms within the factory would have the same effect.

Specific efforts to attack the problem of lateness and absence are things of such recent origin, that many of them seem of more theoretical than practical value. In attacking the problem, it is well to point out that it is not suggested that the personal liberties of any employe shall be interfered with. It is the avoidable and unnecessary absence and lateness that are the objects of attack. The difficulties of studying the general problem may be summed up in the following paragraph of a recent letter from a large silk mill. It is typical.

In reply to your request for information as to lateness and absence at this plant, we must state that while we are at present employing a time keeping system which adequately informs us as to these factors, we have not to date accumulated sufficient data to be of practical value to you in your present quest. If we could offer you our seasoned information a year from date, we should be glad to be of any possible assistance.

The nucleus of this and of many similar letters lies in the last sentence. With seasoned data, comes action, and from the present indications of this newer conception of the relations of employer and the employe, we take the liberty to assume that in this action, we shall find continued support for our second heresy, that the absent are not of necessity guilty and lessened evidence for our first, that the absent are not of necessity conspicuous.

## CONCLUSIONS FROM A SURVEY OF OVER FIVE HUNDRED EMPLOYES' BENEFIT ASSOCIATIONS

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The employees' benefit association is the result of evolution and has apparently come about through a desire on the part of the men to coöperate for their mutual benefit. Capital has but recently awakened to the value of these organizations in steadying the force and in reducing some of the unmeasured leaks of business.

No method has as yet been accepted as showing clearly the cost of absenteeism, or the loss of both quality and quantity of production due to workmen being harassed by debt incurred through sickness, or to dragging themselves around in an effort to fight off disease without proper medical attention. The presence of such losses is obvious on most casual consideration of the subject. Consequently, the only problems are those of measuring the amount of loss and of devising methods of loss reduction. We may utilize the employees' benefit association for the mutual relief of employee and employer from such conditions. This has proven one very effective means of reducing some of these newly recognized leaks.

Some employers for many years have been coöperating with associations among their employees. However, it is only in the last few years that capital can claim to have frankly acknowledged the value to the employer of these associations. Recently various stock insurance companies have been sitting up and taking notice of the possibilities for them in this new era which is developing. In addition to increased activity of the companies regularly writing sick and accident business, some of the larger companies are now offering group insurance through employers in such forms that premiums are paid to the insurance companies monthly by the employers. The entire cost is absorbed by some corporations in connection with their welfare work while others collect from the employees through the pay envelopes for part or all of the premiums. Some of this group insurance embraces life insurance only. As a stabilizer of labor, life insurance does not seem to me to embody enough of the

great essentials which attract the men. Any gratuity receives a welcome, but the money spent by an employer for life insurance premiums might be used in other ways to greater advantage to both employer and employee. Group health and accident insurance is something which can more readily be visualized by the average man and as a stabilizer produces more favorable results than group life insurance.

*The greater the frequency with which a man feels the benefits derived from a gratuity or an investment, the more he will appreciate it.* In an average working force of one thousand men, seven will die each year. In such a force then the group life insurance plan will demonstrate its value to the employees less than once a month and then very few employees hear about the payment of the benefits. In such a force of one thousand men someone is always either hurt or sick and frequent contact of the individual employee with the disability benefits is secured either through his being a beneficiary himself, or because he is serving on sick visiting committees or in other ways sees benefits going far to relieve his friends in times of need.

Employees' benefit associations usually operate without much overhead expense. There is some expense of operation but the employer usually pays it. He does not always realize it, but he pays it just the same. In some few cases the secretary circulates among the members collecting dues at regular intervals. It is probably safe to conclude that this is always on company time, resulting in relatively heavy cost to the employer. However, in most cases dues of the members are collected through the paymaster as an accommodation to the organization. This plan is far more effective for the association and costs the employer less than the former method.

Having almost no overhead expense, the association can handle business practically at cost and in many cases, through having outside income, for less than cost.

An employer, who is aware of the value to him of having all employees become members of their benefit association, may contribute toward the cost of maintaining the association and thus foster the organization operated by the men themselves, but his interest should not lead him beyond the point of cooperation. *The members should know that they are operating their own association.*

An employer's dollar spent in this way will go much farther than when part of it must be diverted from payment of losses to cover the overhead of a stock company. Stock companies have a wonderful field of usefulness but they are by force of circumstances unable to compete with the employees' benefit associations.

No form of insurance will sell itself. In associations operated by employees without the cooperation of the employers the percentage of members to total number of employees varies from two per cent upward, the average being about thirty per cent. In cases where the employers cooperated in jointly managing the associations the average was over sixty per cent, and where the employers managed the associations alone the average was over seventy-five per cent. This points to one very important moral, and embraces one of the essential features of organizing such an association. In addition to that, it shows very forcefully the need for reorganizing a great many of the associations now in existence. Consequently, I believe those features which are essential for organizing will be equally essential when reorganizing an association.

This was the condition that confronted the Dodge Manufacturing Company's mutual relief association two or three years ago. The association was about to celebrate its twenty-fifth anniversary. The corporation had maintained the attitude of allowing the employees absolutely a free rein. Some of our directors, felt very strongly on this subject. The result was that in attempting to allow the employees to exercise their own judgement without interference from the corporation, we were, in reality, depriving them of the counsel and benefits which they might receive from directors and officers. Efforts had been made for several years to urge the officers of the benefit association to campaign for new members, and quite a little stimulant was thus administered. The membership continued, however, with slight fluctuation, to include between thirty-five and fifty per cent of the employees. It seemed quite evident that something was lacking; that this proposition must be studied just as any other problem of product, equipment or labor. We set out to do that, making up a questionnaire which went to a number of corporations who we believed might be operating benefit associations. We made notations of the various problems that suggested themselves, and which we then set out to solve. It developed that we had seventy-two problems for the solution of which we must secure



data. We found that the department of labor at Washington could give us a great volume of data from which we were enabled to compile percentages and other figures to aid in solving these problems. This, together with the information received in answer to our questionnaire, gave us considerably more data than we had anticipated when we started out.

Statistics themselves avail little in the brief consideration of so important a subject; suffice it to say that data were secured covering approximately six hundred benefit associations, and copies of the by-laws were received from seventy-eight. We digested them as best we could. For convenience in studying the various by-laws, we cut them up, and where necessary made digests of the individual provisions; so that, by means of a card file, we were able to gather into one group the various provisions for handling the numerous situations that arise, such as the duties of officers, amounts of benefits, and administration problems generally. From this card file we compiled a set of by-laws which were then submitted to the members of our own association, who were asked to appoint a committee to go over the matter thoroughly. This committee, representing the different departments in the plant, met on "company time" one afternoon a week for about three months, with the result that our present by-laws include what, to that committee, seemed to be the best features of the seventy-eight.

Thus, the corporation was of benefit to the association: first, in securing for it this volume of data that it might reorganize: second, we were able to show it that above all its plan must be attractive. The association is in the business of selling insurance; it must have a proposition which can be readily sold to the employees. We were able to show it some of the psychological features of the proposition, not through a definite study of psychology, but by bringing the members to see the effect of certain methods of procedure on prospective members. One point was kept forcibly in mind continuously: *The entire plan of reorganization must be above suspicion.* There must be nothing about it which would permit the suggestion, by those of perverted mind, that the corporation had any motive other than the best interests of the employees. *All decisions were to be made by the employees.* We took pains to place before them, however, all of the facts, both for and against each proposition on which they were to ballot, so that they were benefited by the experience

and judgment of those who had experience in insurance matters and sales promotion, and in addition, the facilities for securing information.

One point stands out forcibly: *No matter how good the plan, it will not sell itself.* It must have barbs on it; it must not work too smoothly. There must be things happening to keep alive the interest and enthusiasm of all the members. It is not sufficient to depend upon the secretary or any other one man to secure all of the members; all employes must be warmed up and kept warm so that a new man coming into the plant will immediately feel that influence and *want* to come in.

Instead of making outright donations to the treasury of such an association, it is far better to offer bonuses to the members for the accomplishment of certain definite results. Gratuities never develop the enthusiasm which follows sustained effort made to reach a certain goal and to earn a bonus or prize. Convert the campaign for members into a game wherein each member may become a salesman watching for an opportunity to get a new employe into the association. The effect of enthusiasm may be seen in the fact that the membership of the association in the plants of the Dodge Manufacturing Company doubled in the month following the adoption of the new by-laws.

A number of different stimulants were tried for the effect upon both members and prospective members, as evidenced by the percentage of employes in the organization. Our biggest stimulant so far has been that of dividends. We brought to the attention of the board of directors of the employes' benefit association the fact that their treasury was increasing very rapidly; that it was unfair to the members to retain this money when it was not needed by the association; that they could and should declare a dividend equivalent to two weeks' dues. There was considerable hesitation, however, for fear that the soundness of the organization might be jeopardized, but, upon thorough consideration, and at the recommendation of the officers of the corporation, they agreed that it looked perfectly safe. To save bookkeeping, this dividend was declared in cash. Each member received an envelope containing his dividend, and bearing a message stating that the organization was quite prosperous; hence the dividend. The amusing part of the experience was that the membership went up about fifty per cent in the next six months,

and the initiation fees from this influx of new members put into the treasury more than the dividend had amounted to. Thus the organization not only got its money back, but increased its membership fifty per cent. However, the greatest value came out of the fact that after the first dividend was paid, as a surprise to the members, the solvency and soundness of the association were most emphatically impressed upon the minds of all the employees.

Successive dividends seem to be accepted more as a matter of course. Nevertheless, demonstrations of strength and solvency must be made at intervals to keep up the enthusiasm. This will extend the influence of the association into the furthestmost corners of a plant.

As pointed out previously, it is very evident that the management of such an organization should not be left entirely to the employees. However, I do not favor a management exclusively of the corporation. In my opinion, a joint management should secure the counsel of the officers of the corporation, and the interest, enthusiasm and experience of the employees; thus the organization is operated for the best interests and secures the greatest enthusiasm of all concerned. The average executive being of the individualistic type, does not clearly comprehend the viewpoint of the general employee who is of the collectivistic type. In my opinion, the joint plan of management is by far the best solution.

To revert to the discussion of ways and means of the employees' benefit association in general, some by-laws of other organizations provide that one-half of the board of directors *must* be appointed by the corporation; the other half by the employees. I believe it would be better to provide that "*not more than* one-half of the board of directors shall be appointed from the corporation officers." In fact, I prefer to say nothing about this phase of the matter, allowing the entire situation to rest upon its merits. The men will be very quick to know who among the officers of the corporation are with them and competent to advise them; and it will be noticeable that there will be no attempt on the part of the men to "railroad" anything through, provided that the corporation officers who take an interest in the work, are with them and keep their ear to the ground.

Some one to serve as an actuary should prove valuable in keeping an association on a sound basis. One familiar with insurance problems who is interested in piloting the organization may

well be selected and held responsible to the association for the business policy. Such a man may be found among the executives of the corporation. Another extremely important individual is the secretary. He should be elected by popular vote and like the actuary should be recognized primarily as representing the interests of members. The employer may indicate a willingness that these men devote the necessary time to association activities but the final choice of individuals should rest with the members.

One thing that struck me very forcibly was the desirability of voluntary membership. I found by investigation that in some of the organizations where membership was compulsory for employes, interest was absolutely lacking. The officers of such an association very soon become dictatorial in their attitude, and so far as I have been able to observe, the members in most of these organizations look upon membership as a burden which they must carry in order to hold their jobs. Thus the value to the corporation was absolutely lost, and while it had a value for the members, they could not see it, and, therefore, it ceased to exist for them. There may be some compulsory organizations that are not subject to this criticism, but I have my doubts.

After the reorganization of the association in the plants of the Dodge Manufacturing Company, no old members dropped out but the new ones were of lower ages. This decreased the average age. Where the peak of the membership curve had been at forty-one to forty-five years, it moved down to twenty-one to twenty-five.

It is generally considered that sickness may be greater among the higher than among the lower ages. A set of charts is now being prepared, which will show for the various age groups the relation between membership and the number of days off due to sickness or accident and the number of cases of each. Indications lead to the conclusion that some of my previous ideas may be upset.

An important feature is that of "waiting time." The charts which I have prepared on this point show that the bulk of disability cases are of short duration. The cases of six days' duration form sixteen per cent of the total cases of more than three days' disability. I believe that it would not be feasible to pay benefits for disability of less than three days; first, because of the high cost, and second, because an employe who is at all provident will have no difficulty in financing himself for a three days' sickness.

Much discussion was given to the matter of the total amount of disability for which the employees' benefit association should pay. The most popular selection was thirteen weeks. Some pay for twenty-six weeks, while others have different provisions. As an illustration of some of the features developed by the charts I have prepared, we shall assume uniform dues of ten cents per week for sick benefits. With three days' waiting time, it is possible to pay benefits of one dollar per day for thirteen weeks. If the waiting time were increased to seven days, the benefits could be increased to nineteen weeks without any change in the dues. If the waiting time were made thirteen days as in most compensation laws, the benefits could be paid for twenty-six weeks. This shows the effect of waiting time and the relation between waiting time and the duration of cases.

Many employees' benefit associations provide what might be called "step-down" benefits. That is, \$1.00 a day for the first thirteen weeks; seventy-five cents a day for the next thirteen weeks; fifty cents a day for the next thirteen weeks, and twenty-five cents a day for the balance of the twelve months. Others pay small benefits as long as one lives and continues disabled.

I have prepared a number of very interesting charts on these benefits and rates. For example, step-down benefits throughout fifty-two weeks mentioned above of \$1.00, seventy-five cents, fifty cents and twenty-five cents, would require dues of a trifle less than fourteen cents per week per member—other combinations in about that proportion. If it was desired to extend these benefits as long as disability continued, it would be necessary to add only two cents per week per member. These rates are based on a factor of safety of one-third. In other words, experience should not exceed two-thirds of the rate. This, however, is a necessary provision due to the fact that the statistics from which these rates were made are taken from the Dodge employees' benefit association, and checked up against the rather crude figures compiled from the statistics of six hundred organizations. They appear to be perfectly safe. I very much favor the step-down benefits, but experience has shown that it is difficult to bring the employees to realize the advantage of providing for a long-time sickness. They are all so cocksure that continued sickness will only be experienced by the other fellow.

There are two methods of collecting revenue. One plan is

by levying assessments. Psychologically, assessments are wrong; dead wrong. It is true that no matter how you collect the money, the amount needed is essentially the same, but to the average mind, an assessment plan seems to be always working over time. The men imagine that they are paying twice the amount that is really being collected, and that the assessments come twice as often as the facts really show. Regular dues at regular intervals are much more satisfactory from every standpoint. A member knows months in advance just how much his dues are to be and when they are to be collected. Therefore, he is never surprised when they are deducted from his pay. In settling upon regular dues, it is naturally necessary to make these dues sufficiently large to take care of the fluctuations in benefits in order that the treasury may be kept intact, and the need for assessments eliminated. Experience shows that the fluctuations in benefits are not extreme; and with a fair-sized treasury, the organization is able to navigate successfully with dues very slightly in excess of average requirements.

The question of dues appears to be a difficult problem, but in reality is comparatively simple when one has access to the charts prepared on the subject. The logical method is to first settle upon the benefits that are to be paid, and then compute the necessary dues to secure these benefits. It makes a big difference whether all members pay the same dues, or whether one member may select benefits that suit him and pay dues accordingly. For instance, the dues above quoted, or step-down benefits, are based upon a plan whereby all members of the employees' benefit association pay the same dues, or, in a large organization, at least enough of the members pay dues on a uniform plan to provide a satisfactory average experience. Stock companies writing sick and accident insurance policies find a policy paying \$1.00 a day benefits with a premium of \$1.00 a month a ready seller. This furnishes us a guide upon which to work, although I have found it operates better to quote rates in terms of weeks. The amounts look smaller, and the average employe is in the habit of thinking in terms of his weekly wage. It is, therefore, desirable to employ a language which he can readily understand. Ten cents a week seems to be quite popular, although our experience shows conclusively that the men do not hesitate to pay for anything in which they see value.

Another extremely desirable feature of this organization is

that, according to the by-laws, the organization may do anything to promote the general welfare of its members. Under this provision, the association organized a thrift club. In this thrift club any employe may authorize the association to deduct from his weekly pay any multiple of twenty-five cents. This must be left in the association treasury for at least fourteen weeks; if left twenty-six weeks or more, it will draw four per cent interest. This interest, like the dividends, for psychological reasons, is paid in cash and not credited to the account. This acts not only for the employe's benefit, but as the following incidents will show, is of great value to the corporation. When this thrift club was first started, the secretary of the Employees' Benefit Association made it a point to visit all of the spendthrifts throughout the plant, making a special campaign with them first. Man after man declared, "If the company will raise my pay, I will be glad to go into it, but I can't live on my present wage, let alone allowing you to deduct anything for your thrift club." Each of these fellows was appealed to further; he was urged to allow twenty-five cents to be deducted from his weekly pay on the grounds that the secretary wanted the moral effect of his name to influence other fellows who needed the benefit of such a plan. All of these said that they believed in the plan and were finally induced to lend their influence that way. As the weeks progressed, the secretary made it a point to see these fellows whose wages were "inadequate" and casually impressed them with the fact that this amount was climbing. This, coupled with the thought that they had induced so many others to join the thrift club, brought about the result that they volunteered to double the amounts until, within ten weeks, not one of them was saving less than \$2.00 a week; some as high as \$10.00. Before the fourteen weeks are up for any thrift member, the secretary makes it a point to see him and ascertain what he proposes to do with his money when he gets it. One of the fellows who had been most enthusiastic in the contention that he could not live on his wage, said that he was going to have something that he had never before had in his life, and that was a bank account. Another fellow said that he had been married for fifteen years and had been head over heels in debt all that time, and that he was going to spend \$15.00 of his saving for new clothes for his family, and that the balance would pay "every debt he had on earth," so that by continuing in the thrift club he would be able

to "look everybody square in the eye," and keep out of debt in the future.

The corporation benefits in all of this from the very valuable fact that these men, who formerly considered their wages inadequate, have demonstrated to their satisfaction that it was not inadequacy but carelessness that had prevented them from saving money.

One case is interesting; one member had accumulated \$50; his fourteen weeks were not yet up, but his wife was operated upon, and the doctor's bill was \$64. The doctor told him that if he would "scare up" the cash right away, he would make it \$50. He came to the secretary almost breathless to see if he could get his \$50. It was gladly given him, and he saved \$14.

The boys are saving through this means to get married; for winter clothing; for coal, and all sorts of things they want and need, including, in one case, a Ford. The man who saved for the Ford is the warmest booster we have.

A man who is proud of the employes' benefit association or of the thrift club, or baseball team, or band, must unconsciously have a good regard for the plant and organization behind it; which, barring irritance of some form to disturb the situation, will build for a low labor turnover.



## WHO IS BOSS IN YOUR SHOP?

BY MORRIS LLEWELLYN COOKE,

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The European War has developed into a high-powered advertisement for community organization, for the scientific in management and even for capacity in the individual. Notwithstanding much that might be cited to the contrary, our great national desire is to be efficient in both government and industry. Individually and as a people we are almost relentlessly seeking the bases of such Efficiency; and we use the word capitalized as a synonym for the maximum of considered well-being. This can be affirmed notwithstanding what appears to be the most conspicuous fact in our current industrial development, *i.e.*, that more and more our people refuse to be efficient beyond their own desires. As the late Robert G. Valentine expressed it—perhaps a bit more emphatically than is warranted by developments to date—"the days of compulsion—the days of service without consent—are over. . . . In all those areas of life wherein man deals with man great breaches have been made in the ranks of compulsion." But it would be a great mistake to assume either that this greater liberty of action demanded by the individual necessarily makes for inefficiency or that it acts as a challenge to individual as opposed to group leadership.

Apparently the New World has little to gain from any blind copying of foreign models in this matter of industrial organization and control. German efficiency both in government and industry depends on a philosophy absolutely inconsistent not only with American traditions but with American ideals. In view of the virtual abandonment "for the period of the war" of the fabric of industrial practises and mechanisms built up in Great Britain during two generations largely by the labor unions, we are warranted in viewing what *was* the British industrial system with something more than suspicion. Are we not warranted in the belief that there is in the making in America a scheme of direction and control both for government and for industry vastly more efficient and at the same time vastly more democratic than has heretofore been deemed possible?

## SOME ASPECTS OF AMERICAN SUPERIORITY

American life has a decided advantage over that on the continent or in Great Britain in the more numerous points of contact between groups—if indeed there is not with us a more genuine understanding between classes. Then, notwithstanding much that at times seems to argue against it, is there not among our people a deeper response of the individual to the Authority within himself than is to be found among other peoples? With these two points in our favor and when as a nation we have grasped more completely the significance of that union within industry of science and coöperation which we call scientific management, may there not be brought about an American efficiency—at once an expression of the individualism of our forefathers and the vehicle for our more recent collective aspirations? The sanctions of this system will not be militaristic as are those encountered even on the industrial side of German life. It will avoid the pitfalls of that type of group action which is so largely responsible for “muddling” in the United Kingdom. And we have the right to expect that pervading its every activity there will be something of the spirit—the *elan* of the France of our dreams and of present-day realities.

We Americans cannot put our trust in the much heralded German efficiency for it gives us a kind of science but no genuine coöperation. Science without coöperation is a relatively lifeless thing. America's high calling is to prove for our common humanity that there is a method of production growing out of individualistic leadership coupled with an essentially democratic control which is not only more conducive to race-happiness but which in its very nature is scientific and is designed to outstrip any system which is the outgrowth of a military or an autocratic régime such as is found in Germany. Military efficiency, it must be remembered, consists largely in the ability to mass the greatest possible strength at a given place at a given moment. Industry on the other hand struggles rather for steady performance. Peaks or depressions in either demand or output in industry are to be regretted. The “supreme moments” of the battlefield are taboo and even spectacular campaigns rarely result in permanent improvement.

## THE MOVEMENT FOR INDUSTRIAL DEMOCRACY

We can admit that the movement for industrial democracy in this country in its more obvious aspects has been largely away from rather than toward science and coöperation. But there are reasons for believing that the organized labor movement in the United States must in the near future dig itself in along a front somewhat different from the one it has occupied in England, and by reflection in this country, for a generation or two past. Some at least of the faces of this new formation seem reasonably clear.

Two men having formed a partnership may adopt any one of three plans for the conduct of the enterprise. One of the partners may be put in supreme command, expressed or understood, or all matters of moment can be decided by joint action, or there may be an assignment of function as between the two partners so that one is supreme in say selling and finance, while the other has the final decision as to manufacturing. This is a statement in very simple terms of a problem common to all management. Upon the relation thus established between the individual and the group depends the conduct of a city or a nation, of a single manufacturing establishment or of an industry.

A partnership of two men is admittedly a simple form of human coöperation, but immediately the question of individual versus group direction and control presents itself. To enlarge this group from two to the hundred millions of population in the United States does not alter the underlying philosophy or interfere with the scientific determination of the proper field in which group and individual action should each operate.

Government began with the unhampered will of the strongest single individual and under democracy's warming influence has broadened out until larger and larger groups eventually control political action. In this transition from a régime in which the administrative program of an individual was enforced by the selfsame individual, to the present time where in matters of government—if not of industry—all administration is supposed to find its warrant in the consent of the governed. We have not always made the sharp distinction which appears necessary between the administrative code itself and the authority which vitalizes it into action. The democratic ideal would appear to be administration by indi-

viduals with collective pressure when necessary, rather than too much insistence on the part of individuals.

#### SOME RECENT POLITICAL AND INDUSTRIAL TENDENCIES

Recently there has been noticeable in the political thinking of the United States a demand for at least a partial return to administrative individualism as evidenced by movements favoring the short ballot, the city manager, longer terms for administrative officials, centralized responsibility, smaller legislative bodies, and the substitution of judicial decisions for those of juries in certain classes of litigation. In our political democracy we are beginning to admit that efficiency comes through giving authority to individuals and requiring performance from them. The initiative, referendum, and recall are simply some of the checks and safeguards which are essential parts of this scheme of management in its application to government.

Scientific management stands for the same tendencies in industry. It recognizes that one fact may invalidate a hundred opinions. Scientific management seeks to set off the territory in which, because the facts are obtainable, action can be determined by the facts rather than by caprice. A fancy, whether it be the fancy of one or of a million, is still a fancy. We cannot vote a fact. Action by opinion ebbs and flows while action based on the facts can be reasonably consistent and permits of logical and continuous growth. The truth does set us free.

In our scheme of industry and of government the distinctions between these two territories—one of law and the other of judgment—will become more apparent. Collectively we shall gradually learn to trust individuals to read the facts. We may in time class many of these individuals as experts and ultimately revere them. Nor need we abandon the scheme because we are occasionally betrayed by misjudged abilities and limited vision. On the other hand the democrat will not be asked to *vote* once a year on town clerks or minor bond issues. Rather each hour in the day in industry and in life he will render his judgments made all the more necessary in a world broadened by the discoveries of science and deepened through our quickened insights and appreciations.

## LABOR UNION ATTITUDE DIFFERS

While the tendencies in our political democracy seem to be in the direction of a larger degree of individualism, certainly in that part of the labor movement which has become organized no such drift is as yet to be observed. According to what appears to be the code of the labor unions and of some of their most distinguished advocates the most satisfactory way to settle almost any given question is to vote on it. If by its very nature it cannot be voted on it must then be deprecated. Democracy and voting are, under this dispensation, synonymous terms. It may be easy to prove that the leaders of the American Federation of Labor do not hold to this very consistently as a general philosophy of life but nevertheless it colors most of the relations of organized labor to the public. In fact the growing demand for what has come to be known as "consent" under the most frequent interpretation seems to involve a maximum of *group action* rather than a maximum of *action by individuals*. "Consent" as nearly as I can make out involves a much broader application of the theories underlying collective bargaining. Our activity and loyalty even in minor matters is to be secured only after a collective measuring of the pros and cons.

The collective bargain has found its field principally in the agreements between individual employers and their employees and has concerned itself largely with hours and wages and only secondarily with the other conditions surrounding employment. "Consent," on the other hand, seems to involve much broader relationships of the group which work for wages to government, to industry and to society. The relatively primitive struggle for higher wages and shorter hours gives way in a sense to a struggle for standing. Minor claims such as those for compensation on account of injuries are superseded by a claim to a share in the conduct of the business whether it be a manufacturing establishment, an industry, a city or a nation. I am picturing this widening of the front of the labor propaganda not because I lack sympathy with it but only to question the one phase which puts a premium on group administration and group decisions.

It may seem axiomatic that because in working out our political democracy we have been in the habit of expressing through the vote our collective pleasure on all kinds of matters—questions of judgment as well as questions of fact—that therefore we must necessarily pass through a similar period in working out our industrial

democracy. But possibly we in America can, because of our growing respect for science and our dedication to coöperation, work out a system by which those who work with their hands and their heads and those who represent property interests will each have their proper share in the conduct of industry and in its rewards and this without the necessity of resorting to a vote on the length of a mine car, the proper shovel load for a day laborer or the use of instruments of precision such as the stop watch.

#### SIGNIFICANCE OF THE DEMAND FOR "CONSENT"

The growing demand for "consent" as voicing a natural reaction against a too autocratic control in industry is to be welcomed without any reservation. But if "consent" necessarily implies an unwillingness to follow the individual—except after a vote—and substitutes everywhere group action, we will most certainly have stepped from the frying pan into the fire. For it is only through individuality in management that we guarantee to society the maximum of production and bring to each worker the largest possibility of joy in his work and, more important still, keep free the human spirit for those adventures without which it were better that this old world of ours should grow too cold for human habitation. As Robert B. Wolf has said, "*the function of the group* should be the greatest possible amount of freedom for the development of the individual." Industrial democracy has forged the collective bargain to act as one check against the excesses of individualism. But we must be careful lest the check be used, as some of our political checks have been used, to destroy all chance of positive and strong and timely action.

One of the principal indications of an impending shift in the front of the labor movement in this country is found in the fact that many of labor's foremost spokesmen admit that in increased production lies one of the most hopeful routes to a higher social and economic status for those who work with their hands. In several recent reports—largely influenced by the American Federation of Labor—where this question of the effect of increased production was distinctly raised, labor's representatives refused to oppose increased production as such. This is a far step from the "*Ca canae*" and "soldiering" recently and openly advocated and practiced. The laboring classes were of course partially forced to such resorts

by the attitude of boards of directors in refusing to administrative officers the right to pay to especially proficient workers high wages—or at least to pay wages much above the district scale.

Scientific management stands first, last and all the time for increased production. But production is interpreted in the broadest fashion as including everything that makes for human happiness. Thus Marshall points out that art and even the concepts of the mathematician may be production in the very highest sense. Scientific management holds that equal opportunity and liberty itself are aids to production, that poverty is unnecessary and that labor does not even approximate being a commodity.

Anyone who doubts whether this matter of "consent" is to be pressed should read recent articles on the subject which have appeared during the last few years in some of our leading periodicals<sup>1</sup> over the signatures of Justice Louis D. Brandeis, Minor Chipman, the late Robert G. Valentine, John P. Frey, secretary of the Iron Moulders Union, Felix Frankfurter, Robert Bruère, and the late Robert F. Hoxie. One finds of course even among this group of writers considerable variety of opinion as to the means which it will be wise for the laboring classes to use in giving voice to "consent." But no one of them apparently has much faith in the possibility of a fairly rigorous individualistic administrative policy that is to be protected and even induced under group control.

This whole question has been brought to a focus recently through the passage by Congress of legislation absolutely prohibiting premium payments and the use of the stop watch in several important branches of the government service. At the last session strenuous efforts were made to broaden the field for this legislation so as to include all classes of government work. Of course these are only preliminary skirmishes in a legislative campaign, whose real object is to forbid the use of these aids to a genuine science of industry in all establishments having government contracts, and finally to include industrial establishments generally.

At least one large national association of artisans—the electrotypers—have recently established a uniform selling price for the

<sup>1</sup> See especially the discussions in the *Bulletin of the Taylor Society* to promote the science of management. Dr. Harlow S. Person, Dean of the Tuck School of Dartmouth College is president of the Taylor Society and H. W. Shelton, Hanover, N. H., is secretary.

product on which they work. With both the wages to be paid by the employer, and the prices which he may charge for his product fully determined by group action and virtually by the organized labor group, it will be admitted that a radically new industrial situation will have been created. The field for "consent" will have been materially widened.

Everyone seems convinced that we are on the threshold of some very considerable readjustments in our American industrial world. It is entirely possible that present tendencies may become emphasized. But it seems equally possible, that organized labor will in the immediate future discover the futility of some of the remedies which are being pushed today with the utmost enthusiasm—administration by groups rather than by individuals among the number.

Perhaps the most obvious mechanism of group action in industry, as it is in government, is the committee. My views on committee management have been fairly adequately expressed in *Academic and Industrial Efficiency* published by the Carnegie Foundation for the Advancement of Teaching. But there are two additional points that should be made. In almost every instance which has come to my attention in which a committee in a factory was supposed to have full responsibility it had in reality very little. A shop committee has responsibility only when it pleases those who hold the purse strings to let it have its way. A committee may decide 999 things out of 1,000, but the fact that the members of the committee are kept from deciding the last one, and of course the critical one, keeps them from having the same kind of responsibility which the owner of a business has. Authority with such a string to it is not what is really meant by "consent." Employers should not flatter themselves that workingmen confuse committee control with genuine industrial democracy. It is of the essence of democracy, whether political or industrial, that it shall be motivated from below and not dictated from the top.

#### LIMITATIONS IN APPLICATION OF "CONSENT"

Under any reasonably modern or discerning attitude toward industry it must be conceded that in those things we do and in which we ask the worker's coöperation we must have his permission or "consent." But care must be taken to see that in freely granting



this contention we do not appear to be advocating something that is unthinkable. No surgeon, for instance, would operate on Samuel Gompers for appendicitis without the latter's permission. But once having secured Mr. Gompers' "consent," no reputable practitioner would permit him to dictate as to instruments or methods. In thus placing himself in the hands of this type of expert, surely Mr. Gompers does not feel that he compromises in any way his independence.

All workers from the top to the bottom are entitled to essentially the same treatment and consideration. I wish the opportunity to say whether I will or will not. I cannot logically deny this to anyone else. Nietzsche says, "Whoever has inflicted upon you the law from without has degraded your moral individuality." It is not desirable to have a man do a thing merely because I tell him to do it. Obedience is rather a primitive virtue. I wish my associates to assume that I am sincere in wanting them to do only those things which they elect to do after as full an acquaintance with the facts as the conditions under which the work must be done makes possible. It very rarely occurs that things fail of the doing on account of this attitude. In other words, "consent" may be interpreted as something larger than the opportunity to vote on each individual problem. Perhaps someone asks what we are to do with the so-called malcontent and kicker. An inquiry as to why such a one is discontented might develop the answer to the question. But even if it does not I am not sure but that any workshop is better for an occasional disgruntled employe. They are not so disposed every hour in the day. The task of winning them puts everybody on guard. One or two cats are not undesirable in a workroom, although it will be admitted that too many members of the feline family might interfere with the even flow of the work.

Is "consent" in reality always a collective matter—does it always involve group action or can it on occasion become a matter of the individual entirely? May we with safety allow this individual "consent" to apply broadly to a field involving not one, but an indefinite number of decisions? Similarly may it not be possible to make individual "consent" operate not only for the moment but throughout a period of time during which many decisions will be reached? These do not seem to be concessions antagonistic to a proper self-respect on the part of the individual worker nor to the

solidarity of the working classes nor in fact to the maximum of industrial freedom and democracy. But these conditions are vitally essential if we are to develop genuine American efficiency. Each day the discoveries and developments of science make the opposite course increasingly unthinkable. It is hard enough today to keep pace with the possibilities of progress with functionalized management, which of course means the leaving of final decisions in each function to one man rather than to a group. But in the immediate future it is going to be very much more difficult. You will recall Mr. Taylor's prophecy that within two generations there would be 50,000 books on industry for every one we have today. Hugo Münsterburg says in *Psychology and Industrial Efficiency*: "In a large manufacturing establishment the manager assured me only recently that more than half a million different acts have to be performed in order to complete the goods of that factory." This may have been an exaggeration but I know of no industry where the operations are not in the hundreds of thousands. To hold that we can permit every move in an industrial plant to be submitted to a vote simply shows a lack of understanding of the game of industry.

#### PROPER RELATIONS BETWEEN THE GROUP AND THE INDIVIDUAL

The cause of popular rule in this country and elsewhere seems to depend upon the correct decision as to the broad question of the group versus the individual. The system demanding one king gives way to a system of many kings—kings of the counter, kings of the lathe and loom—all kings, but only by virtue of superior knowledge. They *know*. But the reign of each is dependent upon the general acceptance of the individual's right to decide on facts and conditions. Our progress, and even our security, seems to lie in having the vast majority of judgments rendered by the informed individual.

Should we not learn in every relation in life to follow the lead of the particular individual who is charged with any given function, whether he be the President of the United States, the traffic officer, or the clerk in the office? We must not only follow these leads, but use our influence to have others do the same. On the other hand, should we not train ourselves to perform one or more functions so efficiently as to command the respect and loyalty, and reasonably willing service of those upon whose support we are dependent for success in the accomplishment of the work in hand—

the earning of our livelihood and whatever success we are to achieve. I personally wish to live in a world where it is possible for me to conduct myself along these lines and in which everybody else shall have the same opportunity. This will never be possible in a world run by shop committees or determining boards, or by labor unions, especially if the latter are so organized that everything has to be decided by group action. Both as affecting the individual and the nation, the development of real democracy depends upon utilizing the high power of individual action, coupled with all the safeguards that can be erected through appeal, investigation and review, and the freest possible publication of results, with the final action based on the judgment of the governed.

I do not wish to have any misunderstanding about my attitude toward the responsibilities and the rights of individual employes. I believe that the *most important function of management* is to develop within the factory an educational system designed to get every employe "going from within so that he will run himself," in order that he may gradually assume a larger and larger share in the general conduct of the business. "We want all along the line," to quote H. B. Drury, "not only men who can do what they are told to do, but men who can do things we would never think of ourselves. We want men who have enough interest, and education, and experience and boldness, to make positive contributions to the intelligence and vigor of the work." This requires something more than lip service and hand service. It means head service and heart service.

To ask committees, however, to pass constantly on matters about which by the very nature of things they can have at best a minimum of information, is like giving unbridled liberty to a boy because you want to make a man of him. It is demoralizing to any man to be given the opportunity to deliberate and to decide on matters when he is without sufficient education and special preparation and an adequate fact basis, for a scientific decision. I believe in advisory committees, but in each function of the administration the final decision must be made by the individual. Nothing must prevent the individual from making decisions whenever in his judgment the time to decide has arrived. Decisions must be open to the fullest possible investigation and review, followed by a reversal of the decision if the facts reinterpreted so dictate.

There is one fact connected with industry which requires special consideration. Very few people, either in the labor ranks or out of them really wish to assume or are able to assume broad responsibilities. The work of the future will be to teach people to be eager to assume responsibility and to coöperate effectually. And this cannot be brought about unless the worker is inspired with joy in his task. Hereafter the Captain, whether of industry or of government, will necessarily be the man who loves, and loving, understands, and understanding, builds and leads and inspires great numbers of his fellows.

#### WEAKNESS OF COMMISSION REGULATION OF INDUSTRY

Since the discussion of the eight-hour day for railroad employes became acute, we have heard a good deal about the possibilities of relief from such situations through wage boards and industrial commissions. To advocate any such regulating agency in this field at the present time is simply to say "Let George do it!" It is not a solution. Let me quote four typical and random paragraphs from recent orders<sup>2</sup> of the New South Wales Industrial Commission to give you an idea how industrial regulation by commission works:

- a. If the work required of them is not in accordance with the general custom of the trade, and is not covered by the definition in clause 8 of the award the drivers cannot be compelled to do the loading and unloading.
- b. The rate prescribed for a driver of an engine with a cylinder under 12 inches in diameter is 1s. 4½d. per hour. Nothing extra need be paid to a driver who is required to clean windows, etc., but the rate mentioned must be paid in any event.
- c. An assistant is an employe other than a pastry cook, packer, apprentice carter, or motor-wagon driver as above defined and who does any or all of the following work, viz: bring in raw material; wash, clean and grease pans, tools, tins, and other utensils; clean and wash machines; label tins and boxes; wash and sugar goods; wrap cans and pastry; crack eggs; clean fruit and cut peel; put on and take off peels; attend reel, traveling and draw-plate ovens, provided that a journeyman is in charge; place goods into and take goods from tins, trays, pans, trucks, racks, bins and cupboards, before, during and after the manufacture; pack goods in bakehouses; clean bakehouses, yards and premises, feed and take from machines, put on and into and take from tins, trays, and pans any goods in any stage of their manufacture; top and bottom pies.

<sup>2</sup>The *New South Wales Industrial Gazette* issued (monthly) by the Department of Labor and Industry, Vol. X, No. 4. August, 1916. Pp. 685, 721, 845, 872.

- d. Men working in wet places are to be paid 1s. per day extra irrespective of the time so engaged. *Note*—Such wet places are to be determined and declared to be such by the employer and employe by mutual arrangement. In the event of the parties failing to agree it shall be referred to the chairman of the board for his decision.

It should be a matter of deep concern that except for the labor unions there are almost no routine agencies in American industry through which may be obtained an expression of shop opinion—individual and collective. The typical employer claims that he knows what his men think. But as a matter of fact it is as impossible to get the real attitude of mind of a worker or a group of workers from the employer as it is from the labor leader. The machinery through which complaints can be safely made and shop justice gradually established is yet to be devised. As new problems will always be coming up, the settlement of present ones is first of all necessary. The struggle must be to keep at a minimum matters on which debate is desired. The effort must be to anticipate any proper demand of an individual worker or group of workers as to hours, wages, or anything else. To plan for this kind of thing is the function of the highest officers of a company. The average foreman is too preoccupied with the day's work to do it.

#### COÖPERATING WITH THE LABOR UNIONS

The labor unions have for years been quoting Carlyle in using the words "Organize, organize, organize." Without going further they are misquoting him. However, when Frederick W. Taylor wrote *Coöperation* into the world's industrial creed and into the mechanisms of industry, he altered—and to an extent weakened—the argument for organization as this has been practiced by labor unions in this country and more especially in England.

To admit a labor union to a plant not previously unionized or to go through the forms of coöperating with one already there does not necessarily mean coöperation in the sense in which Mr. Taylor used it. Sometimes it is easier to admit a union than to keep it out. Again it may be easier to appear to coöperate than to reveal an actual attitude of opposition. The fundamental test is not whether you have unions or do not have them. In some sections of the country and especially in the larger industrial establishments the complete absence of unions would indicate something peculiar in the man-

agement. It is equally true that most manufacturers having unions and taking credit therefor are claiming something to which they have slight title. Ninety-nine manufacturers out of one hundred who have unions have them only because they cannot help themselves.

I have heard of one plant in which the employees are treated in enlightened fashion that was forced by pressure of a peculiar kind exerted from without the establishment to go through the forms of unionizing on practically the standard basis because as the national leaders said it was such a good place to work that the very fact that it was a non-union shop constituted a constant reflection on the organized labor movement. This means that employers who treat their employees in the matter of wages, hours, safety appliances, etc., even below the average may easily be immune from labor agitation while those who study and even sacrifice to produce improved conditions become the more liable to interference on the part of organized labor.

If scientific management stands for anything it stands for cutting out the "bunk" in every relationship. It is a mockery to call anything short of this scientific. I can understand acquiescing quite wholeheartedly in the establishment of one or more typical unions in my shop. I can even picture myself sitting down and planning with their leaders for their establishment. But I am quite sure that if the objects of these unions and more especially their methods were those that I frequently see advocated in organized labor circles I would have an understanding on one of two bases. Either it would be mutually understood that the unions came there on sufferance and because I could not prevent it without making an undue sacrifice, and in spite of my being out of sympathy with their objects and methods, and that I thought the members who paid their dues got almost nothing for their money, or we would have such a mutual understanding as would provide for our working out between us a new kind of a labor guild which I would hope would have quite as much cohesiveness as the old, but would give to the members in return for the money and effort expended a larger recompense in the best things of life.

An employer should welcome every possible check on his honesty of purpose, breadth of view and genuine efficiency. The solidarity of the employees is one of those checks which every right-

mind employer should both covet and cultivate. But to advocate in industry a type of labor unionism which prohibits the use of the stop watch and the payment of rewards for high performance is to advocate ultimate industrial slavery—however novel the type. A labor union propaganda which does not provide for constant experimentation and the encouragement of new types of organization is short-sighted and not big and broad enough to hold within itself the germ of a republic both politically and industrially free. Research should be as vitally necessary to the wise solution of the problems of labor as to those in other fields of human endeavor.

The labor movement must inevitably seek a new alignment—along which efficiency will become one of labor's own demands—eventually its cardinal demand. The employer who clings to an antiquated machine or one whose system of management is not of the best will ultimately be as obnoxious to labor as are today those who work long hours and pay low wages. In the Great State production will be made a part of the responsibility of labor. And here is where coöperation comes in. Because, as Taylor has pointed out, you can drive men into working hard but it is impossible to drive them into working efficiently. The friends of labor are sometimes tempted to fear scientific management simply because it is efficient. Formerly the *New Statesman* and sometimes our own *Survey* have viewed it as a chain newly forged about labor's neck. Such an attitude fails to take into account the fact that true Scientific Management is a closely articulated, delicately adjusted mechanism such as is clearly impossible in an atmosphere of dissatisfaction and discord. It cannot be built out of collective bargaining, even though individual and collective consent are inherent in its practise.

#### RESPONSIBILITIES OF LEADERSHIP

Do not let us put the onus of reform on the already overburdened workers of the world. If men ever learn to work together and live together efficiently and happily it will only be as we develop a new technique for the individual, yes, a new reverence for the individual. But this is only indirectly the problem of the group or the mass or the "mob" if you must call it that. The responsibility for leadership lies first, of course, at the door of the leader. In the development of a true leadership lies the great hope of democracy—

whether it be political or industrial. Only through enlightened leadership can we establish a proper relation of the group or mass to the individual, and the leader is he who points the way and pushes on and gaining one eminence uses it only as the basis from which to climb higher.

We can be reasonably sure that the leadership of the future will be far removed from the military ideal which has stood civilization in good stead to date. Even in military affairs it begins to look as if we would hear less about the martinet and more of the man with genuine knowledge, imagination and enthusiasm. I rather think that for the highest efficiency we have too little instructing and too many instructions in industry and business. We work on the fiction that an instruction once issued is carried out to the letter. As a matter of fact most instructions, especially in the higher and therefore more important reaches of industry, are only imperfectly understood. Then again each worker in the last analysis executes only that part of what he understands to be his instructions, which he feels to be essential. Occasionally he does something because he is afraid not to do it. Now if you make a practise of never issuing orders as such it puts it up to you to keep your man convinced. The result is, your associates in practise actually carry out what has become their own purpose as well as yours. You undoubtedly lose here and there—especially in the matter of military precision. But your gains are infinitely greater than your losses. Notice is given to your associates that you do not mind being shown wherein you are mistaken and do not expect anyone to do the foolish or inefficient or dishonest thing simply because it was your order or he thought it was your order to do it. So commands make way for orders, and orders for instructions and instructions for information for employes. The argument is in no wise weakened even if we admit that this system “has still to establish its mutual disciplines and possess its mind,” to borrow a phrase from H. G. Wells. It will become increasingly difficult for concerns operated on anything like a military basis to attract to their employ the best class of employes. Industry and government today can have in them adventure and romance—in fact must include both if they are to be properly conducted. More and more our young men of promise will demand the opportunity to associate themselves with industrial undertakings dominated neither by the anti-efficiency



propaganda of the English labor unions nor by the militaristic know-nothingness of certain types of big business.

#### QUALITIES NEEDED FOR LEADERSHIP AND COÖPERATION

To analyze the leadership of the future we must recognize in it a twofold quality. We are told that there can be no sound where there is no ear to hear. In some such sense it is true that there can be no leadership if there are none to follow or if none follow gladly. This following is just as important as the leading. To be a leader a man or a woman must first *know*—know what his job is and then have the experience, the ability, the judgment, the enthusiasm and the vision to execute this allotted task. Just that has been enough to “get many a man by” in the past. But the time has gone when it is enough. It will become increasingly necessary for the leader of the future to be able to visualize these facts and capacities to his several constituencies. As the group widens and the interests of the individual deepen this becomes a more and more difficult task but one to which the powers of the truly great will be attracted.

For the followers there is also a twofold duty, for it is upon them in the last analysis under any democratic scheme that even the ablest and most versatile leader must depend. First we of the mass must learn to be discriminating as to our leaders—we must know more and more about the work of government and more and more about the methods and objects of industry. Otherwise we are ever at the mercy of the charlatan. But beyond this there is a second and most important function of the crowd. We must command the means of making our support effectual. It is not enough to recognize the superintendent of our shop or a President of the Republic as a good and efficient man. We must learn how to make these leaders feel our support and to make our associates know of it. If democracy demands leadership to make it efficient then democracy will be a failure unless we can bring about these conditions without which individuality in management becomes unworkable.

Whether we like it or not, the day has gone by when a leader of men can afford to neglect any opportunity of getting himself and his work placed fairly before his public. But he must do more than this. He must in many instances create these opportunities for

visualizing to the mass of the people his activities and those of his associates. There is so much that is distorted and untrue said about anyone doing important work that the mere desire to offset and neutralize this misinformation requires much educational work. The times and the conditions of both government and industry and the needs of society demand even more than this. It is not enough for the officer of a company or the superintendent of a shop to be honest, active and able. He must make his associates know this. He must keep his constituency convinced and with an ample factor of safety. If we are to have coöperation we must have genuine, relentless publicity affecting every relation.

The picture of a frock-coated and portly gentleman sitting solitary and silent behind a roll-top desk in the front office during those rare intervals between meetings at the bank and at the board of trade is no longer our symbol for industrial leadership. We demand more and more frequent points of contact with our leaders, we prefer to be the president's associates rather than his men. The sphinx is increasingly at a disadvantage in comparison with the man who can place his cards on the table. Whether it be for the employer of 5 or 50, 5,000 or 50,000 makes little difference—self-revelment, incessant and studied, but above all true to the facts—has become the great moving force. Science is beginning to illumine all the work of men. Everywhere, even in the humbler daily tasks, she provides an art. Our industrial relations are no longer for the isolated plant only. They are trade-wide, industry-wide, nation-wide, yes world-wide. Into this maze, if men would tread with freedom, love must enter. The dream will never come true through collective bargaining alone.

You—our leaders in government and in industry—take notice! If you force us to it we will run the ship—whether of industry or of state—by group action. But we are eager to coöperate with you, to supplement you where you are weak and to back you up where you are strong—if only you are our men. We, the workers of the world, believe just as genuinely in science as you do. We both have some way to go in understanding the relation of science to industry and in appreciating all that coöperation may involve. But we firmly believe that if the boss will only reveal himself to his men the men will reveal themselves to the boss.

The industry for which we plan must be made dynamic every-

where and all the time. Industry like life itself becomes static when simply reduced to formulae. Our standards must be only the bases for aggressive action. While realizing that science is making possible a measure of good-will heretofore unknown in this field, we must see in the bringing about of industrial order no getting away from the necessity for struggle and the strenuous life. But it must be a strife which will develop rather than hinder the human spirit. Let us seek first an individuality in leadership which shall bring actual responsibility and joy into every grade of work and then the encouragement of group control to the end that the cause of a genuine industrial democracy shall be advanced and production carried to new levels of enthusiasm and accomplishment.

## SUGGESTIONS FROM EMPLOYEES HELP COMPANY SAVE MONEY

BY EDWIN A. HUNGER,  
Eastman Kodak Company.

The Eastman Kodak Company has found that a system by means of which employes can make suggestions for improving its products or manufacturing conditions and get suitable rewards for the ones adopted, is good business—it pays. There is nothing philanthropic and no smack of welfare work about it at all. Not infrequently a suggestion turned in by one of the employes may result in considerable savings to the company.

Then again the thought of “cashing in” on worth while ideas tends to pull the employe out of the usual rut of things. He feels that he, too, is an important cog in the big machine; for, if he were not, his idea would not be used. When he sees his name published in one of the works’ bulletins he takes pride in the fact. It means that he will keep his eyes open thereafter and think harder and faster with the idea of turning out more money-paying suggestions. His confreres are similarly affected. They say to themselves: “If so-and-so can produce something that brings a money prize, why can’t we?” So it goes. The spirit is contagious, and as a net result the entire force is put on its toes. Everybody racks his mind for new schemes for producing better goods, better processes and better conditions. When such a spirit is put forth, nothing but good can result for the company.

The Eastman Kodak Company is a very large concern and operates five plants in various parts of Rochester. Of course, where plants are separate, as these are, and each is a distinct unit manufacturing certain definite products, it is necessary to adopt methods of factory control and organization suited to the special requirements of each plant. For this reason, the suggestion systems utilized in the various plants differ somewhat from each other.

In the Kodak Park Works, the largest plant of the company, where some 3,000 men and 1,500 women are employed, standard suggestion blanks are placed at convenient points about the plant.

Any employe having a suggestion to make writes out a full description of his idea on the blank, places it in an envelope addressed to the manager's office, and drops it in one of the locked mail boxes, a number of which are installed in different parts of the plant especially for the purpose. If a sketch is necessary to illustrate the employe's idea and he has not the necessary skill to make one, he is permitted to go to the company's drafting room and have a draftsman make a simple sketch for him. A stub is attached to the suggestion blank on which the author makes note of his idea for reference purposes. The number of the suggestion blank is printed on this stub and a separate blank is utilized for each suggestion in order to facilitate handling. If a drawing is attached to the suggestion blank, the number of the blank is written on the drawing.

The suggestions are collected several times daily and sent to the manager's office. Every blank is there stamped with the date on which it was collected. It has been found necessary to do this because on several occasions different employes have made suggestions on the same thing nearly simultaneously, and until the suggestion blanks were stamped, the question of priority could not be determined. As soon as the suggestion blank is stamped, a special blank acknowledging receipt of the suggestion is sent to its author, and a copy with the name of the employe making the suggestion written on it is brought to the attention of the superintendent of the department to which the suggestion applies. He investigates the merits of the idea and returns the suggestion to the manager's office with reasons for approval or rejection as the case may be. If the recommendation for approval by the superintendent is endorsed by the manager, the superintendent is instructed to carry out the suggestion and a report on another special blank is sent to the author of the suggestion, stating that his idea has been adopted. If the suggestion is not adopted, the maker is advised of that fact also, and is told why his idea is rejected.

At the end of each month all the suggestions that have been adopted and put in operation during the month, together with a brief description of the ideas and their advantages, are listed and copies sent to each member of the suggestion committee, which consists of the superintendents of the various departments. A few days later a meeting is held for the purpose of making awards for suggestions handed in during the month. Each suggestion on the

list is taken up by the superintendent who had charge of putting it into practice, the superintendent at the same time giving his idea of the award the suggestion merits. A discussion of the advantages of the suggestion follows and a vote is taken as to the awards to be made and the amounts of each. Suitable lists are then prepared of the successful suggestions and the amount of money for each, for publication in the *Kodak Park Bulletin*. A works' bulletin of this kind is invaluable as a medium for advertising the suggestion system to the employes and arousing them to the advantages of participating in the making of suggestions. Always immediately after lists of awards have been published, the influx of suggestions increases. For the sake of stimulating the employes to get in the suggestion game, awards are made each month. Formerly awards were made only every three months, but it was found that not nearly so much interest was manifested as when the announcements were made more frequently. Like many other good things it needs intensive advertising, and that is where the bulletin serves a very good and useful purpose.

Suggestions are divided into five groups, as follows: (1) improvements in products; (2) reductions in costs; (3) improvements in manufacturing methods; (4) reduction in accident and fire hazards; and (5) conveniences; the minimum award for suggestions in the respective groups being \$5, \$4, \$3, \$2 and \$1. The purpose of making the minimum awards different is to encourage the employes to give most of their attention to ideas of most value. The amount of money awarded varies according to the estimated value of the suggestion to the company. Sums as high as \$1,100 have been awarded to employes for especially good suggestions. Careful records are kept of improved conditions as a result of suggestions adopted, and for all suggestions which bring about greater savings than at first estimated supplementary awards are made. Of course, these supplementary awards come to the employes like windfalls and cannot but create a good feeling between the employe and the company.

It is the practice in some places where the suggestion system is in operation not to allow the foremen to enter suggestions for which they may expect to receive compensation. Wherever feasible foremen at the Kodak Park Works are not excluded from the privileges of the suggestion system, and it is thought that this is a good plan

since some of the very best ideas that have been obtained have come from them—ideas that probably would not have been brought forward had there not been prospect of direct compensation. Suggestions coming from foremen are written on pink slips.

So-called non-participating foremen's prizes are also awarded. These go to foremen of two groups, those having six to twenty-five men under them, and those with more than twenty-five men under them. In each group four prizes are awarded every four months, \$25 and \$10 being awarded as first and second prizes to the foremen having the greatest number of adopted suggestions coming from men under them and similar prizes going to foremen whose men have turned in suggestions of greatest value. Foremen who compete for these prizes are not allowed to enter suggestions in the usual way, but are permitted to help their men in preparing their suggestions.

If the author of a suggestion is not satisfied with an explanation rejecting his idea, he is allowed to go to the superintendent and discuss his idea even after taking it up with his foreman or assistant foreman. A grievance committee, made up of workmen, also meets periodically for hearing complaints, getting suggestions for improving the system and answering questions.

The number of adopted suggestions in the Kodak Park Plant in 1916 came to 1,000 out of a total of 2,300 handed in. The average number of adopted suggestions runs to between 40 per cent and 45 per cent of the total number of suggestions handed in.

The Camera Works, the next largest plant of the Eastman Kodak Company, employs a somewhat different suggestion system from that used in the Kodak Park Works. Here the organization for handling the suggestions consists of a general chairman, a secretary and five special committees, each of which is made up of three department heads. The suggestions are classed in five groups, as follows, and each group is looked after by one of the special committees: cost reduction, improvement of product, general maintenance, accident prevention and improvement in manufacturing methods.

The blank on which the employe of the Camera Works describes his idea is radically different from that used at the Kodak Park Plant. It is provided with a stub, but the author of the suggestion writes his name on this stub only, which is removed by the secretary before being handed over to the proper committee. In

other words, none of the men on the committee is allowed to know the name of the author of the suggestion on which he passes.

All suggestions are sent to the general manager of the plant, who refers them to the secretary of the suggestion committee for classification and acknowledgment, after which they are referred to the various committees for action. The committees return a separate written report for each suggestion with a definite statement as to whether the suggestion is approved or not, and if not approved stating the reason.

All approved suggestions are referred to the general manager for final approval, and then a note is sent to the author of the suggestion saying that his suggestion has been approved and stating the amount of the award. Awards for suggestions which effect a saving are based on the estimated amount of the saving for one year and after each suggestion has been in effect for a full year, the actual saving for the year is figured and if it exceeds the amount of the estimate a further award is made.

Lists of awards are published in the *Camera Works' Bulletin*. At the end of each year an honor roll is also published which contains names of all employes who have received \$25 or more for suggestions for the year. The number of suggestions received in the Camera Works in 1916 was 1,618, out of which 595, or 29 per cent, were adopted. The number of suggestions adopted per 100 employes was 23.

In the other plants of the Eastman Kodak Company modifications of the systems outlined above are employed.



## CENTRALIZED LABOR RESPONSIBILITY FROM A LABOR UNION STANDPOINT

By A. J. PORTENAR,

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Centralized labor responsibility means the creation of a new department in the management of plants, the function of which shall be the control of recruiting, retention and discharge of the working force. Judged by its title, this article assumes to state the attitude of trade unionism toward this innovation, when in fact trade unionism as yet has no attitude. The thing is too new, and, so far as I know, no contact has yet been established old enough and wide enough to permit or compel consideration and valuation by official trade unionism.

Nor have I had such personal experience with the practical workings of centralized employment departments as would qualify me to speak with the assurance that attends knowledge. What I have to offer, then, is the reaction of one union man to a new theory of management as applied to the human element in industry, and which may or may not be a correct forecast of a collective sentiment which has not even commenced to form.

So regarded, it is not pure presumption on my part to set myself up as a spokesman for organized labor. For thirty-five years I have been a member of the union in my own craft, active in its councils, and interested in everything that pertained to the general labor union movement. I have worked with union men in the shop and worked for them as their representative. What I shall say here expresses my own views, but this long acquaintance with the movement and the people in it may give those views a measure of value as interpreting the probable reaction of others.

### CAUSES OF LABOR TURNOVER

In the scale of prices of Typographical Union No. 6, there is a provision that no man shall be paid for less than a day's work even though he is hired for less than a day. In the philosophy underlying this legislation will be found the most prolific of the many causes

which contribute to excessive labor turnover. The workman is regarded as an easily replaceable tool of production whom it is a loss to retain a minute longer than he can be employed at full capacity. Unlike inanimate tools of production, he represents no investment. Hence the tendency to make his term of employment for minutes only, if that suits the convenience of the employer, and the counter-acting tendency of the union to set up at least the pitiful limit of one day as a minimum of permanence. Thus studied, this little rule which takes up two lines in the scale book is a brilliant illumination of industrial history. It contrasts the relative values placed on things and men.

One might mention many causes of excessive labor turnover, but if they were analyzed, they would, in the main, finally resolve themselves into that same fundamental one—that workpeople are regarded, not as human beings, but as animated tools of production, which can be temporarily used upon payment of an agreed sum.

Human thought has a way of seeking concrete expression through a personality or a thing rather than by means of an intangible principle. So, when one is asked to name the chief cause of bedevilment in handling labor supply, at once there leaps into mind the figure of the foreman—the living, obvious doer of the harm so clearly recognized. He wields despotic authority, seemingly without check from any power in the heavens above, or in the earth beneath, or in the waters under the earth. Yet he is not selected because he is fit to possess such arbitrary power over a limited number of his fellow-men. He is chargeable with much evil doing on his own account, and occasionally may be credited with humane instincts that make for amelioration. But in reality he is only a pawn, the screen for those who prod him from above. He is permitted despotic power over the detail of who shall work, but he is only a puppet as to the policy which controls the workers. To take from a number of foremen the power now given them, and to centralize that power in a single person, without at the same time entirely transforming the spirit that actuates the mechanism, may abolish some of the grosser evils, but will leave the main cause of excessive labor turnover untouched.

These grosser evils are serious enough. They engender toadyism and bribery on one side, favoritism and oppression on the other. The manhood of men and the chastity of women are frequent offer-

ings at the feet of a little tin god whose favor must be won or his malevolence placated. That is the sort of creature the foreman can be when the employer will not check him and the workpeople cannot. When a union enters upon the scene, flagrant abuse of authority in the matter of discharge may lead either to justice done or an explosion; but motives of choice in hiring are too subtly concealed to admit of effective regulation. Unions have found it necessary to legislate for the punishment of members who use unfair means of obtaining employment, but proof is difficult and prosecutions are rare.

Naturally, because of his great powers, the foreman is a subject of union law making, not in his capacity as an overseer of production, but in his function as the arbiter of employment. Most unions will not permit him to be a member; the International Typographical Union compels him to be one. Yet, because he is the lowest officer in the executive scale the outcome of the legislation is unsatisfactory; he can make trouble, but he cannot allay it. Therefore, so far as existing union laws treat of the foreman in relation to employment, I would expect no objection to their amendment or repeal whenever a new system makes them obsolete.

The influence of seasonal production on labor turnover needs but to be mentioned rather than elaborated on in this short paper. Its causes and possible remedies are far outside of the immediate sphere of the employment manager. A volume would scarcely suffice for the consideration of this one phase of the employment problem. The same may be said of such potent factors as the condition of trade and demand or lack of demand for labor.

Among minor causes of excessive labor turnover is a sort of restlessness which is most frequently manifested by the more competent mechanics. A job may be satisfactory in every respect, quite as good as they are likely to find anywhere, and yet they will leave because they do not want to remain in one shop too long. Perhaps they are themselves unable clearly to define their reasons, but, so well as I am able to interpret the psychology of this desire for change, it rests upon a fear of losing their independence, of getting into a frame of mind wherein they will come to attach disproportionate importance to the retention of a certain job. There is some basis of fact for this idea, for I have known men who have worked in a shop for a long period whose overhanging nightmare is the fear of

losing the job. Long service made them uneasy instead of giving a sense of security.

#### THE UNION ATTITUDE TOWARD LABOR BUREAUS

Traditional methods of hiring and discharge are so prolific of all-around dissatisfaction that any new method which is based on study of the problem, and can reasonably be expected to improve conditions, will start with a tremendous presumption in its favor. It would be hard to devise a worse system than the one we now have. Opportunity to work is the primal necessity for nearly all of us, and this opportunity we must seek through such means as are available. Even the strongest unions have been able to accomplish little in the way of improvement. Their members are not so entirely at the mercy of caprice or vindictiveness, and are much less subject to unfair competition between seekers for employment than are the unorganized, but they are by no means free of these evil influences.

There comes now a proposal to lift this matter of prime importance out of the slough of neglect in which it has lain, and to give it the dignity and thought which were always its due. The proposal comes from the right quarter—the highest; and its essence is to put it in the right place—the highest. The purchase of human labor is to be considered as carefully as the purchase of equipment and supplies, as carefully as selling and financing. The officer in charge is not to be a mere understrapper, working his sweet will in irresponsible despotism, but one broadly clothed with power and its attendant responsibility. The motive is the best business motive in the world—enlightened selfishness. It has been discovered that former methods are wasteful and relatively unproductive; that judgment in hiring, and a great deal more judgment in keeping employes when hired, is a paying proposition; it breeds dividends both of money and good feeling.

How will union men receive such a proposal? Why, just as all other working-men will receive it. It is a rightful but long delayed tribute to the worth and dignity of labor. It is progress like that which gave labor a place in the cabinet of the President of the United States. It means that in the cabinet of every business chief there is a man who speaks for people, as contrasted with those who speak for things.

Therefore, such a proposal should inevitably and triumphantly

establish itself. But soft! The proposal is good in itself, but let us see how and by whom it is going to be worked out.

Recently I read an article on the work of a woman who is at the head of the employment bureau of a large corporation. It appears that among her desirable qualifications for the position is the ability to smell out agitators, and not the least of her achievements is her notable success in keeping that pestiferous species out of the plant. That illuminating bit of information gave me pause. Remember, I have been asked to say how *union men* would regard centralized labor responsibility. Well, I am a union man and I have an uneasy feeling that I would correspond rather closely to her idea of an agitator. If there were a union of the industry carried on in that shop, I would join it. If there were none, but a movement started to create one, I would be mixed up in it. Very likely I would be the prime mover. If all the justice and sweet reasonableness called for in the prospectus were not on tap, I might rise and say so. I have an ineradicable notion that workpeople are entitled to a voice in the making of wage scales, fixing the length of the workday, and other important incidents affecting employment, and that no amount of kindly welfare work, no benefits of any sort flowing from a benevolent despotism which arrogates to itself entire jurisdiction over such matters, can compensate for the deprivation of this inherent right. Still less so when the despotism is not benevolent.

Now, if that clever lady found out that my brain harbored such pernicious ideas, I would be refused work in that shop. And if other union men were barred for similar reasons, the impression would probably gain ground among them that, so far as they were concerned, the new method was no better than the old. They could enter that shop only by surrendering their right of association. The new idea, so promising in itself, would meet with hostility from union men.

So far as I am aware, departments of labor such as we are considering have not yet been established in industries where the employes are organized. When they are introduced into industries which are unorganized, the question of the attitude of union men will remain an academic one for such industries. When they are brought into industries which are strongly organized, there is little doubt that the managements will take the union into their confidence and endeavor to show it the mutual advantages that will flow

from the new plan. But when such a department is established in an industry where a union exists, but is struggling for a foothold, where it has not yet secured recognition and is conscious that its fate still hangs in the balance, then the new departure will be looked at with suspicion. Its very centralization will be regarded as an additional means of exercising discrimination against union members, and if that discrimination makes itself apparent as in the instance cited, it needs no conjurer to foresee the attitude of that union to that department of labor.

And why not? Here is a promise made to the ear and its fulfillment almost immediately broken to the hope. Union men believe that their interests are mutual, and are best cared for by association and collective action. That is the lesson of their experience. But if this new dispensation, like the old, denies them this right, and demands that they rely on the newly awakened good-will of the employer, both parties being fully aware of the impotence of the individual workman, why should they discard the lesson of their experience?

#### ACTUAL METHODS OF HANDLING LABOR TURNOVER

In all the literature that has thus far come under my notice relating to centralized labor bureaus, I find a very satisfactory realization of the facts that good pay, fair treatment and an earnest desire to retain, if possible, a person once hired are potent means toward the reduction of labor turnover. Discharge is verily looked upon as a last resort when all efforts to make the worker fit in somewhere have failed. And since the reduction of labor turnover is the avowed object of the new department, these are the natural lines for it to take.

Again let us examine the means whereby these objects are to be accomplished. It is clear that if the labor department is to succeed, it must have some voice—perhaps a controlling voice—in every matter that affects the human equipment of the plant. The employment bureaus described in magazine articles claim such powers, but in my work in the public employment bureau I did not find it so. I recall four such employment managers who told me that they had nothing to do with fixing pay; that they tried to find suitable men, and then sent them up for an interview with the foreman to make the best bargain they could. Except that the applicant had

one more hurdle to jump on his way to a job, I cannot see that these four plants had improved anything in this particular.

But let us get back to this point as it directly affects the union attitude, and we will take the best examples. Our enlightened employment manager has his say in the making of rates. But unions also want a voice on that subject. If the rates offered equal or exceed the scale made by the union, no question can arise. But suppose the rates offered are lower than the union minimum, or so arranged that they may be higher or lower, and the union has not been consulted about them and will not be. We get right back to a familiar bone of contention, and in that case the union attitude to that shop remains unchanged. The fact that the employment manager instead of the foreman announces to the applicant how much he is to be paid for his work has not altered the situation at all.

We now pass on to the adjudication of grievances. Many sincere employers and managers have assured me that they are always willing to hear and adjust the grievances of their workpeople. I do not bring their good faith into question, but I have a fairly thorough knowledge of human nature as it is exhibited in the shop. Shall I tell you the fundamental reason for the existence of the labor leader? It is that the workman may have a spokesman who is economically independent of the employer, and who can therefore meet the latter on equal terms. When the livelihood of the man who speaks for himself or his fellows is dependent on the good-will of the man he faces, it requires courage to accept the mission and still more courage to speak with frankness and contend with determination for the side he represents. Not many employers are spiritually big enough to forget or waive the power they possess; and even though they may be, the man who treats with them has no assurance of it. Hence there is a silent but active intimidating force exerting its tremendous pressure on the workman, and only the exceptional man can disregard its promptings.

The thing takes on a different aspect, however, when an executive officer of the union appears to discuss matters on behalf of the men. Not without reason do employers resent what is termed the "unwarranted interference of outsiders," but the ostensible reason for resentment does not even remotely resemble the true one.

Although the employer himself may be a man of big caliber, able to forego the power of terrorism he possesses, there are under-

lings who are not. Their memories are long, their vindictiveness unbounded. No man can so order his conduct as to entirely avoid giving the colorable opportunity the foreman may be seeking. So in this respect, where the union has no standing, its attitude in each instance will be determined by events. *Ad interim* it will be a case of "show me."

The way discharges are handled in the magazine stories already mentioned is not the way the thing is done in the few plants having employment managers with which I have had some contact. But we will agree that such plants have taken the form of a good thing without the substance. Different unions have their various methods of protecting their members against unjust discharge. Typographical Union No. 6 has worked out an excellent system, whereby questionable discharges are submitted to a mixed tribunal of employers and employes, whose decision is final. The union wins nearly all the cases, thus demonstrating the need of a power of review over the discharging authority. It also shows that when the union has a reasonable opportunity of preserving the rights of its members, it will also use discrimination, and will not press unreasonable claims, or can be effectively checked if it does. Where a union is recognized, its procedures are of course followed.

There can be no question, however, that union men, just like other men, will cordially respond when they see that the management of a plant, upon its own initiative, seeks to do exact justice in this important regard. And though they may be sceptical at first, continued well-doing must convince them of the sincerity of the desire. By the glow of gratification I got in reading about it, I gauge their feelings on seeing it. If employers had always treated their people justly there never would have been any unions. If they learn to do so in the future the need for them may be less urgent. But we won't disband yet.

#### THE EXTENT OF UNION APPROVAL

Is there anything in the effort to reduce labor turnover which cannot be approved by a broad-minded union man? The answer is, yes; but this requires elucidation. If the desired result is attained, that fact in itself is proof that the people working in that plant are at least sufficiently well treated to be willing to remain. A management enlightened enough to concern itself about the matter,



and more or less successful in accomplishment, deserves its meed of approval.

Suppose the company inaugurates or continues a policy of opposition to organization? Suppose its hostility goes to the length of excluding union men from the shop if they are known to be such, or discharging them if they join? Even then approval should not be withheld, nor would it be. Men may be opponents and yet find ground for mutual respect.

But there are degrees of approval. The broad-minded union man rejoices at any betterment in the condition of those who labor, whether obtained by their own efforts and conceded as their right, or granted as a measure of expediency, perhaps partly as an insurance against organization. But for himself he certainly would resent the espionage, in the form of solicitude for his welfare, which appears to be an invariable component of the systems to which publicity has been given. To be completely accompanied in his goings out and his comings in, his leisure regulated, his amusements selected, his wages apportioned—these are extensions of his employer's contact which he would not submit to himself and cannot approve for others. When he acknowledges both the good intentions and the good results that have flowed from this new conception of management, he has not surrendered his conviction that as a seller of his labor he is entitled to be heard in the determination of the terms upon which it shall be sold; he has not receded from the lesson of his experience that the only way he can make himself heard is by association with his fellows. Nor does he admit that the buyer of his labor bought also a regulatory interest in his life.

Let me pose as that broad-minded union man, which of course is what I have been doing all the time, and quote a part of a letter recently written by me to a prominent manufacturer in the Middle West, a letter that summarizes my position on this point:

The evident praiseworthy feature of your work is that you are giving serious attention to the question of human relationships in industry. No matter how much I may disagree with your idea that you have found the road to industrial democracy in your shop, or what objections there may be to your methods, recognition is still due of the fact that you are apparently making a conscientious effort. There is a standard of right doing to which you are striving to conform. Neither can it be denied that people working under the conditions you describe are better off than those employed where nothing else is ever considered than how much can be obtained for how little. But when this is conceded, it is not thereby conceded that industrial democracy is established.

You say that your work is not to be confounded with that which is usually called welfare work, yet welfare work is strongly suggested as I read your various addresses. You are still the benevolent despot and nothing more, so far as I can see. Personally I would resent some of the things you say you do. Your employment department would find me out of harmony with the organization, I very much fear, unless I successfully dissembled my real feelings, which would not be good for you or for me. There are lots of people who no doubt accept what you do complacently, since it is done for their benefit. The same kind of people stolidly endure worse treatment, up to the point of desperation, if that is the only way to earn their bread. But the difference between the two kinds of employers is the same as that between the benevolent and the cruel despot.

I believe I have accurately forecasted the union attitude in this regard. I believe also that the union can afford to wait. Liberty is an imperishable desire of the human heart, and will surely assert itself even among the most submissive. That no man is good enough to rule another man without his consent is an industrial as well as a political truth. To impose such rule as a condition precedent to an opportunity to earn the means of life is not consent.

Also I believe that attempts at regulation which intrude themselves into the private life of the workman must inevitably breed hypocrisy and deceit before they finally foment rebellion. If explanations are necessary of certain acts, they will be manufactured; if vouchers of expenditure are required, means will be found to produce them. To guard against such impositions there springs into being a sort of "Third Section," a secret police. To call these agents "advisors" or "investigators" is but to give a euphonious name to an ugly practice.

#### FAIR DEALING AND SYMPATHY FUNDAMENTAL

I have already referred to certain establishments which have possessed themselves of employment managers and with which the Public Employment Bureau has had business relations. I do not know the methods used nor the extent of the powers delegated, but I have had some glimpses of the results. They were slaughter houses before; they are slaughter houses still. The employment managers have not even succeeded in stabilizing their own jobs. Inside of six months two of them were tumbled off their thrones and themselves became applicants for employment at the bureau. The reasons were obvious. Working conditions were bad in every one of the essentials. People sent to them at their request were not even sure of an interview.

If illustration were needed, these examples prove that mere centralization has no beneficial influence on labor turnover. Any scheme is useless which has not for its basis fair dealing and decent treatment, while even in the absence of a more or less elaborate plan, remarkable results can be attained if they are employed. I worked fifteen years in a composing room where the permanent force was about 100, and it was marvelous how the years rolled by with hardly ever a change unless death made it. A fellow felt as if he were only a newcomer when he had but a beggarly ten years or so behind him. There was no deliberate planning to that end, but the employment manager who could show equivalent results would be in line for a yellow jacket and a peacock's feather.

Then comes the personal equation. The man or woman competent to do this work must of necessity be big—very big. Sympathy with and comprehension of people is the first thing he needs—and the second, and the third. If he has these he is qualified and experience will supply all minor details of expertness; without them he may have every little nicety of technique, but he will accomplish no more than is forced upon people by their necessities. I have a man in mind as I write this.

Speaking generally, it has been thrust upon my notice that the quarters where the question of employment stabilization has received most serious attention are also the quarters where a flaming sword bars the entrance of the union. The occasional individual may come in, but he must be quiet. He is always on sufferance. Very well; so be it. Often enough employers who conduct non-union shops are far above union employers in every humane attribute. Therefore we will acknowledge that which is good, respect them for doing it, and fight them till time ends on the issue of man's right to unite with his fellow-man against the bondage imposed by his individual helplessness. Yea, though we are bound by a silken rope instead of an iron chain, yet will we not endure it. But whenever they shall recognize our vital interest and our equal right in the working out of these momentous things by which our lives are made or marred, then will they always find us ready to meet them. Then will they have turned their faces toward industrial democracy.

## THE MECHANISM OF MIND

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No problem has of recent years received more attention than that of the origin of mental traits. It is not my thought to review this discussion but rather to find some new method of approach which will carry us nearer the goal than the older views took us. Occasionally advances make such radical reconstruction that a discussion of older views becomes a waste of time. Such a change has been made by Mr. McDougall in his "Social Psychology." A careful use of terms enabled him to take the indefiniteness from the words "instinct" and "emotion" and give them a meaning for which objective marks can be found and objective tests may be applied. To be sure that a given action is natural there must be some specific inherited mechanism by which the act is performed. Our physical heredity is a group of such mechanisms, each of which has some antecedent in the germ cell. No act can therefore fairly be called natural that has no perceived mechanism aroused by specific antecedents, and, when aroused, acts in a specific manner regardless of the events that environ it.

The first test of inheritable traits is that they are the result of some mechanism whose elements lie in the original germ cell. Each instinct, however, is accompanied by a definite feeling. These feelings are our emotions, and with them are contrasted the acquired sentiments. If each instinct has a corresponding emotion, then we have a double check as to what is heritable. There must be some mechanism which results in an instinctive act and an accompanying emotion which arises when the act is performed. We need not decide whether the emotion precedes the instinctive act, or the act the emotion, if we may be sure that each is accompanied by the other, so that the existence of each may be tested by the presence of the other. It suffices to know that we thus have objective tests of what is natural and simple as opposed to the complex and acquired.

Seven elementary relations are found by Mr. McDougall to

meet this test: The instinct of flight and the emotion of fear; the instinct of repulsion and the emotion of disgust; the instinct of curiosity and the emotion of wonder; the instinct of pugnacity and the emotion of anger; the instincts of self-abasement and self-assertion and the emotion of subjection and elation; the paternal instinct and the tender emotion.

It is not my purpose to defend or criticise this list. The interests in it, whether we alter it or leave it as Mr. McDougall states it, is quite as much in what is excluded as in what it includes. Heredity is a powerful agent, but it lacks much of the definiteness we attribute to it. We must seek its complements before we can account for men as we find them.

We usually contrast nature with nurture, and put in nurture all which is not nature. By thus doing we confuse two different fields with mechanisms of a radically different character. To avoid this confusion I shall put in the province of nurture only that pertaining to physical elation or dejection. A truly natural instinct is aroused by specific stimuli, and when aroused, acts in one specific manner. There are no alternatives in the responses to instinctive situations. The impulses of surplus nutrition and deficit nutrition, however, are not the same. The elation of a surplus and the dejection of a deficit direct the current of thought and activity in peculiar ways, each having its own path and goal. This simple contrast and the laws that follow its perception have been overlooked because of a false standard of judging states of surplus and deficit. It is usual to measure the subjective result by the objective presence of a surplus or deficit of food. But a meager diet may yield a surplus of energy, while an overloaded stomach may transform food into toxins. The real test must be the actual transformation of food into energy, and not its quantity. Surplus energy is a physical state from which certain emotions arise, while a deficit of energy creates emotions of an opposing character.

The problem of energy is, however, not wholly determined by the assimilation of food since the lungs have an important function in creating surplus energy. Any bodily defect, on the other hand, or any failure to eject waste products, creates a state of deficit, and thus evoke the emotions that accompany this condition. We all feel these contrasted states, and on them many important emotions depend. To explain their physical antecedents we must first

realize that the normal outlet of energy is in some discharge. What is energy becomes by transformation activity. This may be muscular or sex activity, nervous stimulation, bodily secretions, the ejection of waste products, or similar transformation. Opposed to discharge we find distention, pressure and inflammation as indications that somewhere the bodily functions have failed to act properly. With this failure comes a deficit of energy and its manifestations. Discharge may thus be assumed to be the normal index of surplus energy and some local distention the corresponding index of states of deficit. If one prefers to say that states of deficit are due to the toxins accumulating in obstructed or overused organs, I shall not find fault with the statement. I am not searching for causes, but some measurable index. Although we cannot see the toxin, the results in terms of distention, pressure and inflammation can be observed.

The states of surplus and deficit may thus be measured in discharge and distention. The corresponding emotions are those of elation and depression. When the depression is diffused it is melancholy; when localized it is pain. A diffused elation is joy, and when localized it is called pleasure. Our joy and pleasure indicate the normal transformation of nutriment; melancholy and pain indicate some obstruction to these normal processes, with a resultant distention, pressure and inflammation. The pleasure of eating would cease if there were no discharge of fluids to mix with the food. The pleasure is in the discharge, and not in the contact of food and mouth. Nor is the accompanying muscular activity pleasurable except as there is a discharge of surplus energy through the muscles. In each pleasure some discharge of energy occurs, and to it the pleasure must be attributed. Evolution localizes and intensifies these pleasures, as it does also our pains, making their intensity equal their vital importance. If, however, discharge is pleasurable and its obstruction involves pain, my thesis has value, even if the complex cases need additional facts for their explanation. I am not trying to explain evolution, but the basis on which it rests. Nor is it necessary to show why discharge or distention produce these effects. If the connection is obvious they can rightly be used as the basis for further investigation.

The fundamental discharge is the sex discharge. Reproduction is the primary way in which a surplus is disposed of. In the

lower forms of life cell division is the index of a surplus. As life moves upward the sex act becomes the center of conscious interest, and is the normal outlet for surplus energy. All fundamental surplus emotions thus center about the sex act, and any restriction on it produces disorganizations which affect health, vigor, and even a normal existence. Take from an animal its surplus energy and the sex emotion dies. It gains in strength only in periods of the year when surplus nutrition is available. In winter sex is dead; in spring it becomes dominant. In the case of man the conditions may be more complex, but if properly analyzed they give the same result.

The action of a surplus is simple. It goes out in sex indulgence. A deficit forces a choice. The mind therefore divides actions into the essential and non-essential, and chooses the former. There is always a shrinkage in the presence of a deficit. The chosen part becomes the self; the rejected part becomes the non-self. The self thus shrinks under the pressure of a deficit but by the process becomes clearly defined. The impulse to save the self becomes the primary impulse of beings facing a deficit. Self-motives thus gain the place under the pressure of a deficit that sex impulses obtain when surplus prevails.

The moral in its primary sense is the self-preserving. Self-regard only becomes desecrated by the moralist when he acquires the concept of a soul. Then to save the soul he sacrifices the self. But he does not do this until he decided that soul preservation is more important than the preservation of body. The new self, the soul, is as dominant in the higher morality as the material self is in the old. Self-preservation and sex indulgence become more clearly opposed; the things most important to personal preservation coerce sex indulgence, while reproduction is at the expense of immediate personal advantage. Thus we have two contrasted forces which are dominant or recessive as external conditions favor the one or the other. The instincts are thwarted, while the nutritive impulses dominate so thoroughly that we mistake them for nature. This makes the contrast of instinct and impulse especially important. An instinct is an inherited bodily mechanism which acts under specific conditions and is accompanied by a specific emotion. An impulse is a tendency to activity not induced by some specific mechanism, but by the nutritive states of the organism. With overflowing energy we manifest one group of impulses; when re-

duced by a deficit we manifest an opposing group of impulses. Nutritive impulses are thus either conservative impulses with the thought of self dominant, or sex impulses through which the race is propagated. All nutritive impulses are offshoots of one or the other of these two. Fear is an active force in augmenting the self impulse, while love and sympathy reinforce the sex impulse. Practically, our natural disposition is banded in two opposing groups of tendencies instead of being unified.

Our mental mechanism is like an insect with no power to co-ordinate its wings, each being excited to action by the rays of heat that strike it. The movement of each wing thus tends to place the insect where the rays of heat strike the other wing, thus exciting its action and repressing its own. A crude advance results through the alternate action of the two wings. Another illustration is that of an oarsman moving a boat with one oar. By paddling first on one side and then on the other he goes forward, when if he paddled on one side only he would move in a circle. The self and the sex motives counteract each other in some such fashion, and by their alternate dominance a crude progress is insured which neither of them alone could produce. In this struggle self has gradually gained the dominance over sex with the result that our cultural forces are organized in ways that repress sex. This is the strength of Freud's position. Our wishes are sex wishes, however, only in so far as they reflect states of energy and surplus. But all dreams are not sex dreams, for dreams of self-preservation are frequent. When we overeat and digest we dream of love; when digestion goes wrong we have a nightmare. Bad digestion means dreams of demons, lions, bears, or impending disaster. The self is always the loser through some impending woe. This is as elemental a situation and as frequent one in dreams as those where in a glow of energy we seek to gratify our sex impulse. Both are primary nutritive impulses, and out of one or the other all our impulses arise. We cannot say with Freud that sex dominates the self, but we might say with Bentham that we have two masters. These two masters, however, are not, as he thought, pleasure and pain, but sex and self. The one subordinates personal motives to race welfare, while the other conserves the individual at the expense of the race.

We may now return to the contrast made by Mr. McDougall putting instinct and emotion in a definite relation to each other.



Instinct is a part of our nervous inheritance measurable in definite bodily reactions. Emotional states, however, are not due to these mechanisms. Their source is the glands, and not the nerves. If this be true, we do not inherit our impulses as we do our nervous reactions. Had we an inherited nervous hierarchy we would be controlled by its reactions. There would also be that unity which philosophers admire. As it is, choice is real even if its antecedents are definite. We can will; we can inhibit; but to do it we must set the gland activity over against the inherited reactions of the nervous system. The nerves reflect past conditions. The glands voice the forces of the present environment.

When we know what the glands cast into the blood we can predict the emotion that results. The orders transmitted by the nerve are not self-created, but come from the dominance of emotions created by the transformations in the blood. The physical basis of consciousness is in blood chemistry, and not in nerve irritation. If this be true, self is not a reaction of some supreme nerve center, but is a flow that changes with the composition of the blood. Self is thus a changing emotion, not a stable control due to the centralization of the nervous system.

I do not mean to argue this contention, but rather to explain the phenomena of self on this basis and at the same time to connect my explanation with that given by the Freudian thinkers who of late have thrown so much light on the inner working of consciousness. It is not difficult to explain the facts of sex on my hypothesis, and this explanation will in the main agree with that of Dr. Freud. But beyond this point we separate. He regards the self as sex which is controlled to its detriment by outside agencies which he calls the censor. To my mind the censor is not external—tradition, morality and the like—but internal in the struggle of the gland and nerve for supremacy, or it may be in the struggle of different glands for supremacy.

This difference in explanation leads up to difference in analysis. If we think of consciousness as a phenomena of nerves many groups of facts remain unexplainable on any known basis. An appeal to mystery is found in all psychologists who base their system on nerves alone. This hidden part becomes psychoanalysis, subconsciousness, a divided self, or any of the dozen schemes in which the psychologists wander as soon as they enter the realm where nervous

reactions no longer explain the facts. Break up this monistic explanation to which psychologists adhere by giving another group of forces their proper place, and an explanation of complex data can be found that does not reach beyond the known facts of science. Dreaming is transformed into knowledge and mystery becomes obvious fact when we seek in the blood the source of the changes which nerve psychology fails to clarify. To make this change demands a new concept of self and a new view of the way in which self-control is exerted. Can a mere flow with no fixed location establish a control such as that which psychologists have sought in a centralized nervous system? If it can, mystery disappears when we go beyond the nerve and see what the gland is doing.

The main issue, therefore, is whether the self is a fixed nervous reaction wrought out by a slowly developing heredity, or whether it is made and remade each moment by our dominant emotions which in turn have their source in present gland activity. Do I change as my glands alter the composition of my blood, or do I change only as heredity alters my central nervous system? This is the problem, and the answer must come by giving some rational explanation of the evolution of the self. How can temporary flows create so stable a character that the results seem to imply an inherited mechanism?

I shall start the discussion of these problems at the point where my reasoning breaks with that of the Freudian school. The kernel of their position is that the organism has certain fundamental impulses or wishes which are censored by external conditions. The organic impulse is thus blocked and thwarted by external restraints, with the result that abnormal reactions are created which tend to disrupt the organic flow which would result in wish fulfilment. The censor and wish are in perpetual conflict, and by this fact the abnormalities of conduct are explained. A familiar illustration of objective restraint on internal impulse is the action of a mother in guarding her child from injury. The child sees a bright flame and stretches out the hand to reach it. The mother checks the movement in time to prevent injury. If this impulse and this checking is repeated often enough the impulse is restrained, not directly by the mother's act, but by the habit formed in the child's mind of stopping before the attainment is effected. A habit is thus in the

and the censor, but its formation is the result of an external restraint of which the mother's care is a good example.

I do not deny these facts nor the conclusion if the purpose is to illustrate the existence of a censor of impulses and one method of its formation. But it is a complex phenomenon that fails to bring out the nature of censorship which we must treat as an evolutionary product and seek for its source. If we take a low type of organism in which there is as yet no centralized control its activity would arise in this way. There would be in some tissue or gland an accumulation of surplus energy with a tendency to transform itself into activity. The transformation of latent energy into activity takes place through some shock received from the external world. The gland or tissue accumulating energy responds to some external stimulus and discharges when thus aroused. This circuit due to a direct interaction between organism and environment may be called *responsive behavior* as activity and external shock are closely related. There would be no self manifested in such behavior, nor any censorship.

In higher organisms where there is both brain and body the behavior is more complex. The shocks of the environment no longer are the direct source of action. The environment arouses brain activity, and brain activity is followed by bodily movement. It is in acts of this kind that a self appears and in which there is an exhibition of will power. The evidence of consciousness is taken as the final authority. We should, however, disregard this evidence and watch the processes active when the brain controls the body. In essence the brain is not different from the body. It is merely one segment of its loosely organized evolutionary predecessor specialized for given ends. It has every power of the original segment but nothing really new. If this be true, the circuit is now a gland activity which becomes emotion and then wish. This is carried over a connecting nerve to some body organ where it excites the same activity that in a lower organism would have come from a direct external stimulus. We have thus a double circuit—gland activity in the brain, followed by a nervous discharge which excites bodily gland activity from which activity results. This is the physical series when acts occur which we regard as willed or induced by conscious desire. Viewed as behavior, however, the desire is only a step in the circuit—a consequence and not a cause.

*Volitional behavior* differs from responsive behavior not in kind but in complexity. The brain starts bodily activity and also checks it. The fact is not in dispute. The problem is to discover the true antecedent. If there is a circuit, each part of which has some physical manifestation, behavior can be observed and measured. The failure to get an adequate explanation is due to an endeavor to explain all the facts in terms of nervous reactions. When this is done there is always a break somewhere in the explanation with a mystery which permits loose thinking about the sources of action. When, however, emotion is connected with gland activity instead of nervous reactions the series is explainable in physical terms, and the source of the censorship becomes plain. There is in every act a struggle for supremacy between the nerve and the gland, and each in turn gains a partial supremacy. We thus have a dualism of control instead of a nervous hierarchy. Nor is there any such thing as a centrally initiated process. All processes are flows; a perpetually interacting circuit that lasts all through life. The self is a phase of this circuit which originates no more than any other transformation through which the life process goes. Has thought a neural seat, a sub- or a super-conscious abode, or is it a flow that at points rises to self-consciousness? Each view has its presuppositions, its images and its conclusions. Between them we must choose.

But before a choice is made an additional complexity must be noted. This new phenomenon viewed as a conscious product is *delayed response*. Mind becomes more than volition when action is delayed and in the end determined by forces not in the primary circuit by which volitional control is maintained. In conscious terms we think of this new control as memory. The momentary stimuli of today are checked, and their tendencies thwarted by a repetition of the stimuli that acted on the brain yesterday.

This is delayed control viewed as a conscious product. The same thwarting of primary impulses takes place through the action of the imagination in the form of images and ideals. The self now gets, or seems to get, an objective reality. It is no longer a mere product of the primary life currents and becomes a soul endowed with superior attributes. I have no desire to deny these facts, nor shall I try to obliterate the distinctions thus created. We do have a soul; images and ideals gain a control and memory reactions become powerful enough to stay and transform the primary

impulses. This testimony of consciousness we should accept, but at the same time it should be reinterpreted in harmony with functions the body is capable of performing. The physical interpretation of mental life is correct if the conscious facts can be resolved into antecedent gland and nerve and muscular action. The soul is then not a new phenomenon, but a more complex form of underlying interactions. To make this point clear we must determine what physical changes lie back of delayed response. If this can be explained the more complex products losing their mystery become orderly facts.

The difficulty in getting the clue to explanation of delayed response comes from assuming that memory is its most elementary form. The soul thus seems to have a function not mechanically explainable. But if fancy and image making precede memory, the relation of this new series of facts to emotion and gland activity becomes apparent. We think of a child as having a memory when in reality it has only a very weak one, if memory is measured by adult standards. The child, however, fancies and builds images before it remembers actual occurrences with the detail which adults call truth. What it builds is rather beauty than truth, for it injects pleasing elements into its world that do not reflect the actual external contacts. The child gains in memory as it loses in surplus energy. A good memory is a loss of vitality cramping the power of image making. What is so plain in the case of a child is still visible, though obscured, in the case of adults. People with good memories are usually less original, and show indications of defective development. They are static in action and thought, thus showing that they have lost their early plasticity, which in turn indicates a loss of surplus energy.

With this explanation in the background we can gain an insight into the physical processes back of soul phenomena. We have in this another example of gland and nerve action. A new and more complex circuit is formed so that the soul censors the self as the self censors the primary impulses we call sex phenomena. The primary shock that excites activity first becomes imagination, then will, and then bodily action; otherwise stated, first the image, then the will, then the act. The complex is still of gland and nerve, for in image, will and act there are three separate gland flows brought into harmony by connecting nerve reactions. Depress the gland

action in the imagination and we get memory; depress it as will and we get habit; depress it in the body and senility results. The less the gland activity, the more the nervous control and the greater the mechanical control of life. The normal nerve always when excited repeats its former act. It holds the present firmly to the pattern of the past. Every lowering of vitality heightens this nervous control and increases the power of mechanical responses. Gland activity has no pattern. It never repeats itself exactly. Its power is in the blood flow, and any new content of the blood alters its action. When our glands are active our acts are patternless, and hence are not predetermined. We can thus be original even if we are not free. New combinations of emotion arise with each change in the composition of the blood. The image becomes wish, and the wish becomes action. The soul with its imagery controls instead of a mechanical self.

Rational thought is not a logical process but a psychic transformation. The concept that excites the most emotion excludes its opposite. The logically supreme concept is thus the emotionally superior concept. The self in struggle thus dominates through its emotional allies raising the level of consciousness to a point that excludes other motives. It is this tendency that deceives and falsifies. When the level of consciousness is high, thought seems unified, since the conscious emotions are those of struggle. When, however, the level of consciousness is lowered because of the absence of struggle, the old opposition reappears and normal motives reassert themselves. But they now seem not to come from the external world, but to spring from some inner source. A false psychology is thus created to meet this abnormal condition. 'Data' are now attributed to a subconscious origin that really has an external origin from which, however, it has been cut off by epochs of struggle creating so high a threshold of consciousness that they are submerged for a time and then divorced from their origins. They come into consciousness as dreams, because in the dream world the threshold of consciousness is lower than in waking hours. All this must be made clear before the disguises of self and the disruptive force of struggle is apparent. Nor can they in turn be understood without recognizing the ways in which the level of consciousness is raised and lowered by changes in blood pressure. When it rises the details of perception fade and what remains is the symbol of what

disappears. A single element of an original may thus become the symbol of the whole and be the form by which it asserts itself in consciousness.

My thesis can now be restated in a more scientific form. The elements of the mind are instinct and emotion. Instinct is a nervous mechanism that reacts to certain stimuli. These mechanisms are in the body while in consciousness there are certain emotions that arise in connection with the same stimuli. All emotions, however, are not a mechanism in the sense that instincts are mechanisms, but a flow of nutritive energy. They are the product not of nervous mechanisms but of gland activity. While they seem immaterial and unmechanical they are both, if we recognize that antecedent to the emotion there has been a discharge of some fluid into the blood by which the emotion is aroused and the consciousness fixed upon certain objects. If it can be shown that the injection of given fluid into the blood arouses one emotion and represses others, the material antecedent of emotion becomes apparent even if the dissection of the brain shows no nervous mechanism to accomplish the desired end. Believers in the mechanical character of thought have looked in the wrong quarter for a basis of their claim. The seat of our important mechanisms is in the blood and not in the nerve. When this is recognized the road to thought antecedents is open and its mystery solved. The three elements in thought activity are nervous instincts, nutritive discharges which figure in consciousness as emotions, and the trophic action in the brain.

Students of mind as mechanism have also gone wrong in assuming that as mind is superior to body, so mental mechanisms are superior to those of body. What seems more absurd than that a superior result could be obtained from an inferior mechanism? And yet this is the case. The mechanical reactions of the brain are of a low order. The action in one part arouses a reaction in another not by some superior coördinating mechanism, but by a passage of energizing currents through the plastic parts of the brain. Tracks are thus formed along which energy habitually flows. As an adjustive device this method works admirably, but viewed as a mechanism it is of a surprisingly low order. I doubt if the mind has many nervous mechanisms above the level of trophisms, and yet its emotional flows are so effective that the

result is of a higher order than any nervous mechanism could give.

When a man says I can do as I please, I do not contest the fact but the explanation. I admit that there is no material mechanism corresponding to what we call will. The will is not a mechanism, but a discharge. Its antecedents lie in the blood and not in the nerve. To get will I must generate more energy with its accompanying elation until the threshold of consciousness is so elevated that no other outlet remains. Will as action is increased energy and an accompanying emotional exaltation. What we do is not what we want to do, but we want to do what we are doing. A rise in energy makes a wish which grows as the pressure to do the act increases. This is the thought Dr. Freud has emphasized stated as a normal, instead of as an abnormal, phenomena. The censor is wish as well as the censored. They are rival flows of energy directed by the nutritive discharges in the blood.

Another confusion arises as to the mechanism of inhibition. The disciple of self-mastery asserts that he can withstand all these wish or nutritive flows. And he is right. But how does he do it? Is not inhibition as material as action with causes quite as measurable? We can find inhibitory instincts in many quarters and can readily discover how they act when mere bodily functions. They range all the way from nightmare to stage fright, from shamming death to the limping bird suddenly frightened by your presence. In each case there is a flow that stops action. Could a stage-frightened man have his pulse measured the physical nature of the change would become apparent. Could his blood be tested a new content would be discovered. No one doubts the physical origin of these manifestations, and if so, no one should doubt his power to make inhibitions as soon as he learns how to arouse these discharges. He must get the essence of stage fright or nightmare without their antecedents.

Originally these discharges were brought about by their relations to instinct aroused by external contact. The instinct came first, and the emotional flow followed. Now external contact is seldom of the kind to arouse the emotional flow. In their place we have their symbolic representation in consciousness through wishes and fears. They arouse the inhibition that under antecedent conditions came through external contact. It is therefore true that if



I want to inhibit I can inhibit, but I can only do it by starting a gland action that prompts inhibition. My inhibition is thus quite as material as activity. Just as I can make myself angry by thinking of anger, so I can stop action by arousing the wish for inaction. The seeming will, however, in both cases is not cause but effect. Measure the nutritive flows and the thought current could be predicted. Reading other people's thought will become a science when we get measures for every change in the blood.

## CAUSES OF "TURNOVER" AMONG COLLEGE FACULTIES

BY HUGO DIEMER, B.A., M.E.,

Professor of Industrial Engineering, Pennsylvania State College; Formerly Superintendent, National Motor Vehicle Company; Production Manager, Goodman Manufacturing Company, and Consulting Engineer.

When we look at the stupendous labor turnover in manufacturing establishments operating under traditional employment systems whose turnover is in some instances as high as 500 per cent a year, it would seem at first sight that an academic turnover of 40 per cent per annum is evidence of much better conditions in educational organizations than exist in industry. When we investigate the subject a little further, however, and reflect that the usual term of employment in colleges is for the academic year, and that all of the precedents and ethics of the profession are against changes during the academic year, we realize that the problem is a somewhat different one. We need also to bear in mind that the instructor in his relation to his students occupies a position analogous to that of a foreman or department head in industry, and that a change in faculty personnel of 40 per cent per annum finds its analogy in a change of foremen and department heads in industry of 40 per cent. The average cost of changing an employe in industry has been determined to range from \$50 to \$200, the subdivisions of this expense being:

- (a) Cost of hiring
- (b) Cost of teaching the new workman
- (c) Decreased production by the new workman
- (d) Work spoiled by the new employe

### COST OF TURNOVER OF INSTRUCTORS ITEMIZED

It has been estimated that if we take into consideration municipal, state and federal appropriations and income from private endowments, as well as the money spent by the student himself, a fair cost for academic training is \$1.00 per recitation hour per student. Assuming that the average instructor handles twelve hours of work per week (most schedules being rather above that

below this figure), and that there are twenty-five students in each class, the average instructor would handle 300 student hours per week. Assuming that from thirty-three to thirty-four active weeks of work are done in the academic year, the expenditure from all sources for the instruction by the average instructor would represent a total outlay of approximately \$10,000 per annum. If an inexperienced instructor is only half as efficient during his first year as an experienced instructor, and assuming that the experienced instructor has 80 per cent efficiency, the net loss during the first year would be 40 per cent of \$10,000 or \$4,000 per instructor. In a faculty of 100 instructors with a turnover of 40 per cent per year, the total annual loss would be forty times \$4,000 or \$160,000 per annum of taxpayers' or parents' money. These figures take into account only the direct loss. The indirect loss is immeasurable since it represents the failure to develop potential economic and social efficiency in the student.

#### REASONS FOR CHANGE OF EDUCATIONAL WORK

The principal reasons for changing given by various men who have left educational work for other fields are as follows:

1. Insufficient pay
2. Insufficient opportunities for promotion
3. Their educational experience answered its purpose, namely that of a stepping stone
4. Artificial atmosphere
5. Too wide a variety of activities demanded

The reasons given by various department heads as impelling them to encourage men to accept outside positions are as follows:

1. No future for the man in teaching, even though he was competent
2. The man could not get along with students
3. The man could not get along with his associates
4. Poor teacher
5. Unfit for the organization

It is interesting to reflect what improvement in efficiency might be accomplished by approaching the problem in the same manner in which the employment managers have approached that of labor turnover. The employment manager considers:

1. The sources of supply and methods of securing new men
2. Methods of training and developing new men
3. Methods to be adopted to retain all promising men

#### SOURCES OF SUPPLY OF TEACHERS

With regard to sources of supply for academic teachers these may be enumerated as:

(a) Personal inquiries made by presidents, deans and department heads at educational and professional conventions. Joining various educational and professional associations has been frequently recommended to young instructors with the confidential statement that the conventions of such associations constitute quite an employment exchange. In fact in many of such conventions this by-product is more important than the main occasion, so far as many of the visitors are concerned.

(b) The second source of supply is letters of inquiry, addressed to college professors asking nominations from their acquaintance-ship among alumni or instructors, and followed by personal interview.

(c) The third source of supply is advertisement in educational, professional or trade journals, followed by correspondence and interviews.

(d) The fourth source of supply is the teachers' or professional employment agencies.

While the cost of hiring an ordinary laborer in an industrial employment bureau may be as low as 50 cents to \$1.00 per man, it is evident that when we calculate the cost of the time, correspondence and traveling expenses of higher officials in educational work in filling a vacancy, the total is apt to run not much below \$50 per position to be filled.

#### METHODS AND STANDARDS OF SELECTION

After having considered the sources of supply, let us consider methods and standards of selection.

Professor H. Wade Hibbard, head of the Department of Mechanical Engineering at the University of Missouri, has listed 209 activities of a professor. He has boiled these down for a member of an engineering faculty to 84, as follows:

Teaching in	Engineering curricula and progress
Lecture	Other engineering schools
Recitation	Relations with the profession
Laboratory	College catalog
Drafting	College and department circulars
Computation	Engineering experiment station
Field Work	Engineering bulletins
Seminary	University extension
Examinations on his own work	By correspondence
Class discipline	By centers
Friendship with students	Summer school
Breadth of culture for professor, and	Advertising and public sentiment
its encouragement for student	Student grades
Research	Grading methods
For Professor	Electives for engineers
For Students	Schedules for classes
Methods of student study	Use for rooms
Student engineering society	Lighting plans
Inspection tours	Supervision of teaching
Foreign lecture	Improvement of teachers
Summer positions	Employment of new teachers
Graduate positions	Acquaintance with foreign teachers
Alumni list	Pedagogical progress
Employment bureau for alumni	Work in engineering professional soci-
Registration	eties
Issuing stores	Work in educational societies
Issuing apparatus	Writing
Laboratory deposits	Problems of
Control of student activities	Buildings
City moral cleanliness	Grounds
New apparatus	Janitors
Needs	Power house management
Choice	Problems of
Markets	Heating
Installation	Lighting
Regular supplies	Water service
Repairs	Fire
Repair shop	Prevention
Inventory	Extinguishment
Deterioration	Bookkeeping
Out-of-dateness	Appropriations
New library books	Personal typewriting
Use of library	Hektographing
Catalog library	Lantern operation
High school	
Standards	
Curricula	

Various department heads will lay emphasis in varying stress on certain of these activities, and measure candidates' acceptability by their fitness as they see it in such of these activities as they deem most important. Some of the activities listed require an executive type of mind, some a promotive type, some an accounting type, some an analytical type, some a judicial type, some a generalizing, and some a detailist type of mind. Not only is the range of mental requirements so great that no single individual can meet them, but the temperamental variations are equally wide. Success in some of these activities demands a strong vital temperament; in others a quick, nervous, energetic temperament is required; others require a calm, phlegmatic temperament, and still others a sympathetic, emotional temperament.

Assuming that the candidate's mental equipment and temperament are satisfactory, he must still pass the tests of good build, pleasing address, individual personality, poise, readiness in speech and acceptability as a public speaker. The last named ability may have to vary from capacity for plain straightforward practical talks free from histrionic attempts and artifices so as to meet the demands of audiences composed of practical men in commerce or industry on the one hand, to a highly histrionic type, well versed in all the arts of sophistry to meet the requirements of so-called more cultured audiences.

Finally we must measure well the applicant's ability to develop interest and enthusiasm and to impart information in such a way that it is not merely a filling-in process, but also a drawing-out and developing of the student. This is more a process of prospecting than direct measurement, to apply a geologist's analogy. Still we can assume that when certain other elements exist which we can measure there is a likelihood of teaching ability being present.

As we look over our long list of activities, however, let us bear in mind the scarcity of the all-around man, if he exists at all. So long as our colleges have not adopted the principles of scientific management as they relate to functional control, we can at least apply them departmentally, since in most colleges the department head is the employment manager, his nominations being subject usually only to confirmation by higher officials. In a department numbering say ten men, it would be possible to assign a selection of eight or nine of Mr. Hibbard's functions outside of direct teaching

work to one man, giving each instructor in this way an opportunity to participate in some few of the multitude of extraneous duties which under traditional systems are handled wholly by department heads or other executives. In filling a vacancy we might then emphasize the traits requisite for the successful carrying on of the more limited line of activities.

Unquestionably a more careful selection based upon scientific analysis of the requirements of each position and applying some standards of measurement to candidates would result in a more efficient selection of candidates with a tendency to reduce the annual turnover.

#### DEVELOPMENT OF AN INSTRUCTION STAFF

Coming next to the question of development of employees, we find in progressive industrial centers and in large industrial corporations educational classes of salesmen, of accountants, of cost clerks, of time study men, of foremen and superintendents, of credit men, of traffic managers, etc., all engaged in studying the most recent literature and best information relating to their fields of work, the employing corporations for the most part meeting the expenses of securing lecturers and teachers for such classes. It would not be distinctly a new feature in educational practice to carry on this sort of training of instructors within the plant, and yet such practice is exceptional rather than the rule, as it should be. Educational traditions it is true prescribe a leave of absence of from one to three years to obtain a Ph.D. degree at some other educational institution, preferably in some foreign country. The financial expenditure involved in this procedure is such that only those who have private incomes, or are willing to suffer extreme privation for a number of years, are able to participate in this kind of development process. If the foremen's meetings or the cost accountants' club can be scheduled during work hours by factories, similar educational activities for the benefit of instructors can be scheduled as a regular procedure of colleges. Such training should aim to develop not only higher technical ability, but should consider the pedagogic methods and ideals of the individual subject, personal efficiency and fitness for the organization. In order to develop department heads, there should be a much wider extension of the practice of exchanging professors, accompanied by an extra stipend to cover the expenses of

travel and change of location. The heads of professional or industrial departments should be encouraged to take a year's leave of absence to work at their profession or in industry for pay with the idea that they would return full of knowledge as to the latest professional and industrial practices.

#### RETENTION OF INSTRUCTORS

Having considered now the selection and development of instructors, let us consider the matter of retention. In industries and the professions, tabulated income curves show that the capable man's earnings increase steadily up to the age of sixty and even beyond. In college teaching a man usually reaches a professorship somewhere between the age of thirty and forty, and thereafter his income curve remains a horizontal line until his death. It is no wonder therefore that we hear the term "blind alley" applied to the profession of college teaching. The remedy is self-evident. Boards of trustees of colleges should apply the same principles of compensation to their faculties as they would apply in industrial corporations of which they might be directors. Long tenure of office, accompanied by effective results, should be accompanied by periodic increases in salary even after professorial rank has been reached. There are many department heads in colleges who see young men graduating under them whom they have been instrumental in placing not only in their first positions, but later into better positions, earning salaries in from five to ten years after graduation aggregating fifty or one hundred per cent higher than the professor's salary.

I have laid particular stress upon the case of the professor, because the subject of the underpaid instructor and assistant is already well known, while very few persons realize that the professor or department head is also underpaid and that this fact encourages the men of the instructor class to seek other fields. Moreover, increasing demands are being made of the professor for traveling expenses, to attend conventions, to make contributions to a variety of worthy causes and to maintain a social and professional "front." From my knowledge of existing industrial and professional conditions, I should say that as industrial salaries rule at present, no college assistant or instructor should be employed at a starting pay of less than \$1,200 for the academic year. In a first-class institution



he should have opportunity for regular annual advancement to a salary of \$1,800. As an assistant professor, his salary should be regularly increased for efficient service until it reaches \$3,000. In the associate professor's class, the range should be from \$3,000 to \$4,000. In the full professor's class, the range should be from \$4,000 upward, with assured advancement, until the income curves of department heads in educational work are parallel with those of department heads in industry or of professional men of equal accomplishments. If Europe can pay college professors \$10,000 a year, why not America?

#### HANDICAPS TO EFFICIENCY

Thus far I have discussed the question of assured prospects of promotion and adequate pay, which employment managers tell us are essential for retention of desirable employees. These same employment managers tell us also that we must provide agreeable working surroundings and conditions leading toward contentment and happiness. Several prominent industrial employment managers emphasize the importance of according freedom of speech and opinion to all men. The progressive department head in a college will heed this note as a sign of the times and encourage wider participation by all of his men in council which should be held to determine not only matters of policy and methods, but also such as relate to appointments.

Lack of the customary facilities provided in ordinary business and industrial practice for clerical, drafting and stenographic assistance is one of the conditions of academic inefficiency widely prevalent. In this respect, our colleges might well follow the example of corporation schools who do all they can to develop the real educational powers of their teachers by providing them all of the clerical, drafting and stenographic assistance needed. Academic traditions sanction the purchasing of a \$200 scientific instrument, used two or three times a year, as a necessity, while the purchase of a dictaphone to increase the efficiency of an instructor twenty per cent would be looked on as an unpardonable luxury.

Another condition affecting the efficiency of instructors is the lack of provisions for private study. A recent book on efficient living claims that the home life of college professors is made far from ideal by the necessity imposed on them of carrying the day's work

into the home and the maintenance of a private study—a sort of a *sanctum-sanctorum* in the residence. Even this safe retreat may not exist if the family has happened to grow considerably in number. Rooms should be provided in college buildings in which instructors might secure genuine privacy for study purposes, being entirely free from business routine or interviews during such periods.

This discussion would not be complete without some mention of old age or retirement pensions. It has been argued that although such pensions might be entirely proper for teachers in primary and secondary schools, it would be letting down caste bars to admit that college professors really required such pensions. Andrew Carnegie intimated that while he would take care of certain institutions, he considered it the duty of the states to take care of the matter of pensions in state institutions. There does not seem to be any valid reason why a railway conductor, engineer or fireman should be entitled to an old age pension any more than a college professor.

I have endeavored to list such analogies between industrial and academic conditions relating to turnover as present themselves to a man who has come into academic work after having filled a position as factory superintendent and production manager.

## BOOK DEPARTMENT

### THE BUSINESS MAN'S LIBRARY

#### ACCOUNTING, AUDITING AND COST KEEPING

SCOVELL, CLINTON H. *Cost Accounting and Burden Application*. Pp. xiv, 328. Price, \$2.00. New York: D. Appleton and Company, 1916.

In some promising books on cost accounting which have appeared, an attempted summary of a great variety of opinion has left the reader at sea as to the opinion held by the writer. Scovell's treatise is clear and definite. On all the crucial points he states his opinion clearly and gives a reason for it. As a text in the classroom it would need amplification and discussion, supplemented by exercises and problems. It will, however, prove valuable for reference and classroom use as well as for the practicing accountant.

Among the controversial subjects which the author treats most fully are the subjects of Interest Charged to Cost, and Unearned Burden. He believes that interest should be charged to cost because this treatment proves useful both from the point of view of managerial policy and price setting. He believes in charging interest both on capital owned and borrowed, but he is not in favor of making separate charges for these two classes of interest. The offsetting credit for the interest charges is an account called Interest Charged to Cost. The rate for such an interest charge is to be set by the reasonable expectation of return from the capital if invested in high grade securities where no manufacturing or trading risk is taken.

The author would probably feel, however, that his chief contribution lies in his treatment of Unearned Burden. He works out a machine rate for all production centers on the basis of their operation for a standard number of hours each year. This standard is worked out on the basis of the experience of the plant. "But with a curtailment of production, resulting in idle equipment not used in production, there will be an accumulation of burden charges which is not charged to the cost of the product. This expense is known as unearned burden and is not properly a part of manufacturing cost, although it must be recognized in the determination of a proper selling price. . . . Unearned burden, known as a separate total, serves as a true barometer to indicate the effect of the industrial situation outside the shop on the business in question" (p. 176). Mr. Scovell would charge the unearned burden to the profit and loss account but not to the manufacturing account. The author indicates a significance of unearned burden for competitive costs. He has really laid the foundation for a complete and critical statement of competitive costs, but he does not perform this larger task. In the latter part of the book Scovell applies the principles he has developed to the accounting of several industries.

The work at once is both scholarly and practical, and should rank high among the books in this country on the subject.

SPURGEON BELL.

*University of Texas.*

WEBNER, FRANK E. *Factory Accounting*. Pp. xii, 345. Price, \$3.30, ppd. Chicago: La Salle Extension University, 1917.

Frank E. Webner's recent book entitled *Factory Accounting* forms one of the texts on higher accountancy of the La Salle Extension University. As it is generally understood, the primary use to which all of these texts are to be put is correspondence instruction. Perhaps a growing secondary consideration in offering them to the public is that they may supply a need, very real in some quarters, for satisfactory texts for school and collegiate instruction.

As should be the case, to carry out the purpose indicated above, the present volume is better adapted to its primary use, although providing a fairly satisfactory text for classroom use. Mr. Webner's broad experience in the field of practice makes him an authority as to what is needed for preparation for that line of work. Although he has been a frequent lecturer before many of the largest universities in the country, he does not realize, or, realizing, has not fully overcome all of the difficulties encountered when trying to present to students a difficult subject of which they know little from actual experience. However, in an effort to meet this difficulty the author has vitalized the book by an elaborate use of charts and illustrations which should bring home to the student the many intricacies of the subject if not, in all instances, clarifying the difficult points. The present day tendency to visualize everything by means of charts and graphs has led in a few places to a charting of things which do not lend themselves well to that method of presentation and so has cheapened the product. Fortunately, instances of this are not numerous in the present volume.

Mr. Webner's discussion of the human element is very good and calls attention to a subject which needs more attention than it generally receives.

The content of the book is sufficiently indicated by the four main divisions: Organization, Controlling Records, Industrial Classification, and Production Elements.

One acquainted with Mr. Webner's earlier volume, *Factory Costs*, misses in the present volume much of the well thought out and philosophic treatment of the troublesome problem of burden application so ably presented there. The difference in scope and purpose of the two books accounts for its omission from the present volume.

On the whole *Factory Accounting* is an able presentation of the subject of costs, is somewhat broader than the usual treatment, and should prove a satisfactory text for students.

R. B. KESTER.

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## BANKING, INVESTMENTS AND FINANCE

- MOULTON, HAROLD G. *Principles of Money and Banking*. Pp. xl, 502. Price, \$3.00. *Idem. Exercises and Questions for Use with "Principles of Money and Banking."* Pp. xi, 95. Price, 50 cents. Chicago: University of Chicago Press, 1916.
- PHILLIPS, CHESTER A. *Readings in Money and Banking*. Pp. 845. Price, \$2.10. New York: The Macmillan Company, 1916.

These two books represent a compilation of excerpts from standard texts and selections from current writings on money and banking. Owing to the wealth and vitality of the discussion on finance that has occurred during the past five years, the inclusion of the selections from current articles is perhaps the more valuable feature.

Neither volume pretends to be an exhaustive analysis nor an original treatment of specific phases of monetary and banking problems, but what each lacks in coherence of treatment is more than compensated for by the wide range of pertinent subjects that are covered.

Moulton in his *Principles of Money and Banking* has related a series of selections whose worth is derived rather from their suggestiveness than their unity. The discussion in Part II concerning the nature and functions of banking is well devised.

Phillips' work is handled in a somewhat different fashion. Instead of taking the excerpts and incorporating them into the text as individual units, he correlates and welds together, with the semblance of unity, different articles pertaining to the same subject. Naturally, this enables the student, and all others who are studying the elements of finance, to obtain a clearer and more comprehensive grasp of a particular problem. The chapters on the foreign banking systems are very opportune.

For collateral readings and for suggestive outlines for class work both volumes fill a long-felt need.

THOMAS CONWAY, JR.

*University of Pennsylvania.*

## FOREIGN TRADE AND COMMERCIAL GEOGRAPHY

- FILSINGER, ERNEST B. *Exporting to Latin America*. Pp. xiv, 565. Price, \$3.00. New York: D. Appleton and Company, 1916.

*Exporting to Latin America* is one result of the author's long search for trade information to aid the foreign sales of a moderate sized St. Louis shoe factory. Mr. Filsinger's situation was typical of that of many manufacturers who recently have felt the need of a foreign market which might balance the ups and downs of the home trade.

The book gives evidence of exhaustive and systematic study of that flood of trade information steadily pouring in from the United States Consuls throughout the world, portions of which are contained in the daily commerce reports of the United States Department of Commerce and of the more extended reports of

special investigators of the Department of Commerce, as well as current literature on the subject. Added to this is the author's own practical experience and judgment, expressed with no personal note. The whole is admirably edited, the chapter titles and subheadings being practically the questions which every beginner in foreign trade sooner or later will ask, and on which even experienced merchants and manufacturers occasionally require enlightenment.

An especially interesting chapter is that on Export Commission Houses and Agents, for there is much misunderstanding and some controversy over the precise function which these merchandising agencies can perform, what kind of trade can best be developed through them, and what most advantageously by direct foreign sales methods on the manufacturer's part. There are indications of improved understanding between manufacturers and export houses, partly through discussion of their relationship at several national foreign trade conventions. Mr. Filsinger's outline of the function of the export commission house is followed with the chapter on Traveling Salesmen, General and Local Agents, which is of particular interest to manufacturers desiring to market their product by direct representation overseas. This includes suggestions as to obtaining foreign agents by correspondence.

In view of the Administration's advocacy of the Webb Bill, authorizing coöperation among American exporters, the following is of interest to the manufacturers and merchants who desire to coöperate in order to meet more effectively combinations of foreign competitors which are not only permitted, but encouraged, by foreign governments, and to offset the operations of combinations of foreign buyers leagued to depress the prices of American products:

"It has been well established that for certain handlers of allied lines, coöperative effort is the most effective means for obtaining a foothold in Latin-American trade. When a group of such merchants can be brought together on a thoroughly sound basis, their combined efforts often prove successful."

In the event the Webb Bill, which the Senate failed to bring to a vote in the last Congress, is enacted, Mr. Filsinger suggests "how groups may be formed":

"Manufacturers who believe their products can find a demand in Latin America may invite other firms of like opinion to coöperate. In arranging such groups extreme care must be taken not alone in the selection of the lines but also in the arrangements of the expense. It would be unwise for manufacturers of hardware, millinery, leather, paints, and hats to combine. On the other hand coöperation of concerns, all of whose products were sold by hardware stores, would prove logical. Such manufacturers might produce screws, small machinery tools and similar articles. Another group might be formed by the producers of ladies' apparel, underwear, hosiery, trimmings, millinery, et cetera. A third group might include the manufacturers of leather, dressings, findings, and other articles used by shoemakers. Unless the grouping were carefully done, the efforts of the representative would be dissipated, inasmuch as too much time would be lost to interest the principal importers of these various products. On the other hand, when the attention of the buyer had been obtained by the representative of a group of kindred manufacturers, the possibilities of sales would be much greater."

Further useful information is given on the division of business, distribution of expenses, and specialized salesmanship, advertising and "follow-up" methods. Space does not permit even an enumeration of the other phases of this interesting book,—a valuable addition to a quite substantial bibliography developed by the painstaking work of Hough, Aughinbaugh and other students of Latin-American trade problems.

ROBERT H. PATCHIN.

*National Foreign Trade Council, New York City.*

UNITED STATES FEDERAL COMMISSION. *Report on Coöperation in American Export Trade.* Part I, Pp. xv, 387. Part II, Pp. xxiii, 597. Washington: Government Printing Office, 1916.

This report contains the results of an investigation made by the Federal Trade Commission. It calls attention to the importance of the foreign commerce of the United States and the need of understanding the conditions our exporters must meet in competing for world trade. A special study was made of the effect of foreign combinations, private and government-aided, on the export trade of the United States.

Part I considers at length competitive conditions in international trade, facilities aiding this trade, and how coöperation in particular industries in foreign countries has been developed. Part II consists of consular reports, extracts from hearings of the Commission, and examples of price and export agreements of foreign combinations. The work contains valuable tables and charts.

The Commission has made a thorough and much needed study of conditions in international trade.

W. E. W.

#### INDUSTRIAL MANAGEMENT

SHAW, A. W. *An Approach to Business Problems.* Pp. xxvi, 332. Price, \$2.00. Cambridge: Harvard University Press, 1916.

JONES, EDWARD D. *The Administration of Industrial Enterprises.* Pp. vi, 442. Price, \$2.00. New York: Longmans, Green and Company, 1916.

A hasty survey of these two books would give the erroneous impression that they were much alike; both treat the problem of factory equipment, both discuss the formation of an administrative organisation, both deal with the process of mercantile distribution. However, the casts of mind, the purposes of the two writers and the arrangement of material are so utterly dissimilar that the resemblance of the two volumes ceases with the tables of contents.

Mr. Shaw was in a philosophical mood when he wrote his book. He searched his mind to discover a universal classification of industry molded on the living activities of business, to find a uniform method of approach to all the diverse forms of industrial problems. Out of the welter of old economic generalizations he endeavored to formulate new ones, reversing the ancient adage, for he poured old wine into new bottles. Mr. Jones, on the other hand, showed scant courtesy to

the philosophy of business, for his mind was too intent upon telling the story of the best existing practices.

The purpose Mr. Shaw had in mind was to make a start toward a science of business, comparable, perhaps, to the science of chemistry; that is, he hoped to isolate from a large number of generalizations concerning business a few that would have the standing of laws, so that, given certain data about a business one might predict certain results. Dr. Jones had no such mighty task; his purpose was to relate simply and clearly the practices in business that experience taught were most beneficial. It is true that Dr. Jones desired to make it unquestionable that scientific method was applicable to business, and also that the concepts of welfare and service had a definite place in industry, but he had no especial intellectual ax to grind.

Unlike Mr. Shaw, Dr. Jones has given us a well organized work. It is a straightforward, connected story. As a textbook, it ought to be well received, and as a part of a business man's library, it should prove an asset.

MALCOLM KEIR.

*University of Pennsylvania.*

#### LABOR LEGISLATION

BARNETT, GEORGE E. and MCCABE, DAVID A. *Mediation, Investigation and Arbitration in Industrial Disputes*. Pp. viii, 209. Price, \$1.25. New York: D. Appleton and Company, 1916.

This book is intended to offer in condensed, summary form a review of the experiences of the Massachusetts, Ohio and New York State arbitration systems, and the proposals submitted by the authors to the United States Industrial Commission for a State and national system of mediation, investigation and arbitration.

It contains much illustrative matter describing the activities of these three State boards up to 1914. It points out the highly satisfactory and successful results of mediation, the almost entire absence of arbitration outside of the shoe industry in Massachusetts, the growing trend towards investigation of disputes, and the need for a scientific, comprehensive statement of principles to be followed in government settlement of disputes, in order that the experience of the successful States may be generally adopted elsewhere. The systems described are not presented as "cure-alls." Clearly-marked limits, even to mediation, are set forth. The attitude of the authors is impartial and practical, and the treatment of the subject is scholarly. It might be wished that the results of the last three years be included in the book. The appendices contain the Newlands Act and the recommendations of the Industrial Commission on mediation, arbitration, etc.

J. T. Y.

#### MANUFACTURING INDUSTRY

COMPTON, WILSON. *The Organization of the Lumber Industry*. Pp. x, 153. Price, \$2.00. Chicago: American Lumberman, 1916.

The author has given us a history of the lumber industry and its organization in the United States. By means of an analysis of prices, he has sought a solution



of the economic problems associated with lumber from tree to ultimate user. A rather novel method of employing *relative* prices was made necessary by the character of the source material to which the author had access. One important chapter treats the organization of the lumber industry for production; a second deals with the organization for distribution, while a third has to do with the ownership and prices of standing timber.

A reader becomes somewhat annoyed that an otherwise careful work is impaired by the ineffectiveness of the essential charts. The author frequently tries to show too many things on one chart and forgets to make the cross-square lines of the graph paper. As a consequence, the charts fail to convey the maker's idea and the curves hang unattached in mid-air. In other respects the book is unusually good.

M. K.

COTTER, ARUNDEL. *The Authentic History of The United States Steel Corporation*. Pp. x, 231. Price, \$2.00. New York: The Moody Magazine and Book Company, 1916.

This book narrates the principal events preceding and leading up to the incorporation of the greatest industrial enterprise in the world. It also sets forth the objects and policies of the company and the results therefrom upon labor and industry in general. Most of the story is drawn from the testimony in the government suit for the dissolution of the Corporation, but this already published material is supplemented by information obtained personally from the promoters and officers of the Company. Some of the salient features of the book are descriptions of the Tennessee Purchase, the development of export trade, the integration of the Corporation, the artificially created steel towns and the movement for safety, sanitation and welfare within the steel works.

When one takes into consideration that the book is dedicated to Elbert H. Gary and that the author is frankly prejudiced in favor of the Corporation, and when one makes allowances for such freely admitted bias, one finds that there is much in the book that is commendable. It might be unfortunate to give wide circulation to this "authentic" history if it were the only one extant, but as long as one may consult Bridges' *History of the Carnegie Steel Company* for the facts that Cotter left out of his particular work, then it is highly desirable in the interest of fair-mindedness to have a book that gives a plain and interesting statement of the Corporation's side of the case.

The book is admirably illustrated.

M. K.

#### STATISTICS

DUDLEY, WILLIAM A. *Finance and Life Insurance*. Pp. 227. Price, \$5.00. Mexico, Missouri: Missouri Printing and Publishing Company, 1916.

The plan of the book is excellent, but the workmanship is extremely careless. Mr. Dudley's purpose is the brief presentation of the elementary principles of logarithms, interpolation, probability, compound interest and discount, annuities

and life contingencies,—an excellent idea, for where is the business man who, though he has not the time or training to study these topics thoroughly, does not often find need for an elementary knowledge that will enable him to make intelligent use of interest, discount or bond valuation formulae?

His approach to each of these subjects is simple and direct, but his careless and incorrect statement of many formulae makes it a dangerous book for the beginner to use. For instance, on page twenty-five in the chapter on compound interest he transforms the equation  $S = (1+i)^n$  to express the value of "i" in terms of the other quantities as follows:

$$i = \sqrt[n]{S} - 1 = \frac{\log S}{n} - 1.$$

It is apparent that  $\frac{\log S}{n} - 1$  does not equal "i".

What he intends to say is

$$i = \text{antilog} \left[ \frac{\log S}{n} \right] - 1.$$

No less than eight errors were found in this particular chapter.

The book contains apparently valuable tables of interest, discount and annuities at interest rates from  $\frac{1}{2}$  to 10 per cent, but errors found elsewhere make one hesitate to depend on the accuracy of these tables.

B. D. M.

#### TRANSPORTATION

BROWN, HARRY G. *Principles of Commerce*. Pp. xxiii, 207. Price, \$1.75. New York: The Macmillan Company, 1916.

Part I analyzes the laws of money and describes in detail the mechanism of foreign exchange. Part II explains the advantages of foreign trade and presents an indictment of protective tariffs and other artificial barriers to the natural development of commerce. Part III contains a discussion of the theory of transportation rates.

T. W. V. M.

DEORGE, JOHN A. *Passenger Terminals and Trains*. Pp. vii, 410. Price, \$5.00. New York: McGraw-Hill Book Company, 1916.

This work is a worthy companion to *Freight Terminals and Trains*, by the same author, published in 1912.

Of the many improvements in all branches of the railroad service which have taken place in recent years none has invited wider attention than the improvements of the equipment employed in the transportation of passengers. The huge passenger terminals in the leading large cities, the great number of new stations in smaller cities, the progress of electrification, the introduction of steel cars of varying types with improved methods of heating, lighting and ventilation, are striking testimonials of the efforts of the carriers to provide a higher degree of comfort and convenience for the traveling public. In addition to these more obvious evidences

of progress are countless improvements in the mechanical equipment connected with train operation, and in the organization of the operating service, which help to solve the difficult problem of handling the rapidly growing passenger traffic with speed, promptness and safety.

This volume contains an interesting description of the physical equipment of the passenger service, and tells how it is operated. Because of the extreme diversity of practice in construction the author has found it impossible to describe in detail all the important terminals of the country, but by the judicious selection of certain prominent types for detailed discussion, and by calling attention to the unique features of particular variations, he has succeeded in presenting a remarkably comprehensive picture of the entire passenger service. A special chapter is devoted to the passenger terminals of New York City, and another to the trains and terminals of foreign countries.

Not the least interesting feature of the work is the large number of excellent cuts, charts and diagrams of virtually all the important passenger terminals of the United States.

T. W. VAN METRE.

Columbia University.

NELSON, JOHN H. (Compiled by.) *Interstate Commerce Commission Law*. Pp. 168. Price, \$1.00. Washington: John Byrne and Company, 1916.

PHILIPS, EDITH M. (Compiled by.) *Selected Articles on the American Merchant Marine*. Pp. xxviii, 218. Price, \$1.25. *Idem. Selected Articles on the Government Ownership of Railroads*. (3rd Ed., rev.) Pp. xxxvii, 201. Price, \$1.25. White Plains, N. Y.: The H. W. Wilson Company, 1916.

These volumes are two among the many that comprise the *Debaters' Handbook Series*. They contain a brief or outline of both sides of the following resolutions: (1) that the United States should have a government-owned merchant marine, and (2) that the United States should own and operate its interstate railways. Each volume contains a bibliography and a number of selected articles, reports or papers by writers on both sides of the questions at issue.

The volumes do not constitute additions or original contributions to the literature on government ownership. They, however, present reprints of many standard articles and papers in a convenient form, and indicate to the student or debater where more detailed information may be obtained. The bibliographies were carefully selected so as "to give the reader access to the most usable and most easily obtainable material."

This new edition of *Government Ownership of Railroads* contains a number of recently published articles and a fully revised bibliography.

G. G. H.

## ECONOMICS

CANNAN, EDWIN. *Wealth: A brief Explanation of the Causes of Economic Welfare*. Pp. xxiii, 279. Price, 3s. 6d. London: P. S. King and Son, 1916.

FETTER, FRANK A. *Economics*. (Volume II, *Modern Economic Problems*.) Pp. xi, 498. Price, \$1.75. New York: The Century Company, 1916.

The arrangement of this two-volume text on economics is apparently dictated by the present demand in many colleges for a one-semester course in the theory of economics, followed by a possible second semester's work taking up the general applications of the theory. Professor Fetter's second volume meets this existing demand for a text suitable for a continuation course in general economics.

The title, *Modern Economic Problems*, is scarcely adequate to cover the scope of the work. A large part of the book is devoted to a description of existing economic institutions with appropriate historical settings for each. This descriptive matter is valuable for many purposes other than the solution of the particular problems brought forth by the author.

In most instances, the author has succeeded in bringing out the economic laws at work rather than the surface phenomena connected with the problem. While occasional inaccurate statements appear, their number has been reduced to a minimum. The sentiment of the book is thoroughly modern and progressive, but the policies advocated are based upon scientific principles throughout rather than upon the popular reform policies of the hour.

The wisdom of confining references to other works, and bibliographical material in general, to a separate manual, may be questioned. Many readers of the text will, presumably, never see the *Manual* but still will need guidance to further study of those problems in which they are particularly interested.

On the whole, the book may be commended to those seeking scientific instruction rather than propagandist literature.

W. I. K.

GIRAULT, ARTHUR. *The Colonial Tariff Policy of France*. (Edited by Charles Gide.) Pp. viii, 305. Price, \$2.50. New York: Oxford University Press, 1916.

Arthur Girault, Professor of Political Economy at the University of Poitiers, presents his careful investigation of the question, "What customs' régime should control the relations between a colony and the colonising state on the one hand, and foreign countries on the other?" Although the thesis is general in terms, the material deals exclusively with French colonial policy. The author explains that two systems may be followed: one of exclusion, which arouses the jealousy of others and discontent of the colonies, thus doubly compromising the peace of the world, or a liberal policy, that of the open door or tariff personality, which removes from other nations all pretext for jealousy. This is likewise the best way to maintain friendly relations between the colonies and the mother country.

Part I is an investigation of the evolution of the colonial tariff policy of France. In that policy are shown six more or less clearly defined stages in French colonial policy and a chapter is given to each: (1) The ancient régime until 1789 was dominated by the theories of the mercantile system of colonial monopolies, privileged companies and exclusion. (2) The Physiocrats and the Revolution brought liberalism. (3) Under Napoleon the policy of exclusion was restored, but without privileged companies, and lasted until the second Empire. (4) In 1866 under the free trade influence of the Manchester School, colonial tariff autonomy was adopted. (5) The fall in prices and the protective tariff agitation in the eighties ended with the law of January 11th, 1892, which established a customs' union. It regards the colonies as a territorial part of France. This established free trade between France and most of the colonies, but subjected the colonies to the same high tariffs as France in commerce with non-French countries. (6) The recent movement is towards a policy of "tariff personality." Each colony should have its tariff adjusted according to its own peculiarities.

In part II, the results of the colonial tariff policy in France are shown by analyses of the good or bad effects of tariff assimilation *vs.* tariff personality, in the case of each colony. The author concludes that with the exception of Algeria, which under assimilation has actually become a part of France, all the other colonies, especially Indo-China, have been injured by this policy. Tariff assimilation has been a delusion. It has been inflexible. A coat will not fit every man regardless of size and age. The colonies differ from one another and from France. Each must be treated according to its personality, whether the tariff adopted be protectionist or liberal. The development of the sales from the mother country to the colonies depends upon the purchasing power of the colony. If the colony is prosperous its trade will increase in all those commodities which the mother country is able to supply. The colony should be left free to buy and sell all other commodities in the best market.

R. S. MACELWEE.

*Columbia University.*

JUGLAR, CLEMENT. *A Brief History of Panics* (trans. and ed. by De Courcy W. Thom). Pp. 189. Price, \$1.00. New York: G. P. Putnam's Sons, 1916.

A third edition of this standard work is most welcome. The second edition brought the study through the year 1891 and this one brings it down to date. The editor, Mr. De Courcy W. Thom, has himself prepared about one-half of the volume.

E. M. P.

#### POLITICAL SCIENCE

BARKER, J. ELLIS. *The Foundations of Germany*. Pp. ix, 281. Price, \$2.50. New York: E. P. Dutton and Company, 1916.

The present volume is complementary to the author's earlier volume *Modern Germany*, the fifth and enlarged edition of which appeared in 1915. The latter deals exclusively with recent political and economic problems of Germany, while

the volume in hand undertakes to set forth the principles that have guided German statesmanship from the time of the Great Elector down to the present day. Special stress is laid upon the statecraft of Frederick the Great, and numerous quotations are made from his writings to illustrate the political and moral principles of the ruler who bestowed upon Prussia the ideal of a military state. Chapters IX-XIII contain the French text of important state papers in which Frederick's ideas are embodied. In addition to the chapters dealing with the past there is a chapter dealing with the policy of Bismarck and William II, perhaps the most valuable in the book, and chapters dealing with the causes of the war, Germany and Turkey, and the German Colonial Empire. The chapters are for the most part a reprint of articles previously published in English magazines, with the result that they are loosely strung together, they leave many gaps in the narrative, and neither in form nor in substance can they be said to bear out the pretentious claims made for the volume in the preface.

C. G. F.

DAVIS, GEORGE B. *The Elements of International Law*. (4th ed., rev.) Pp. xxiv, 668. Price, \$3.00, New York: Harper and Brothers, 1916.

In this edition, there has been no attempt to carry out a thorough-going revision. Few changes have been made in the text, although the first chapter has been rewritten to include a rather extensive list of early writers on international law. The most valuable additions are those in the appendix. There the Declaration of London, which is not mentioned at all in the text, is printed in full, with an introduction and very interesting notes indicating how far its provisions were observed, modified, or disregarded by the belligerents during the first year of the European War. There is also a table showing the signatures, ratifications, adhesions, and reservations to the conventions and declarations of the first and second Hague Conferences. Other new features of the appendix are the text of the United States-Santo Domingo extradition treaty of 1910, and very brief notes regarding the transfer of enemy merchant vessels to a neutral flag, the arming of merchant vessels for defense, the use of aircraft in war, and wireless telegraphy. A list of the most recent collections of treaties and documents and of other important recent works on international law has been added to the original bibliography.

D. G. M.

GIBBONS, HERBERT ADAMS. *The New Map of Africa*. Pp. xiv, 503. Price, \$2.00. New York: The Century Company, 1916.

Those who knew Mr. Gibbons' *The New Map of Europe* will welcome this companion volume, which gives a sketch of European colonial expansion and colonial diplomacy for the period 1900-1916. The text is made more easily understandable for the general reader by a well-chosen series of maps.

Several of the chapters have already appeared as articles in magazines. The book makes no pretensions to being documented and does not enter deeply into the many controversial subjects in the field. It is intended to give a popular, understandable first sketch of social and economic conditions in Africa and an

outline picture of the international rivalries in the continent during the first decade and a half of the present century. The author has traveled widely in the lands he describes and has had personal acquaintance with many of the men who have been prominent in their development.

The chapters are to a large extent independent of each other. No attempt is made to treat the subject historically or by a grouping of the various international interests. For him who looks for a well-organized exposition of the cause of developments in Africa, therefore, the volume leaves much to be desired, but for him who seeks a vivid picture of present developments, Mr. Gibbons' description will prove both entertaining and instructive. For those who are already familiar with the chief features of the scramble for Africa, the most valuable portions of the book are those which discuss conditions in the less important and often neglected regions such as the east coast and the Portuguese colonies.

C. L. J.

HOLDICH, SIR THOMAS H. *Political Frontiers and Boundary Making*. Pp. xi, 307. Price, \$3.25. New York: The Macmillan Company, 1916.

The most striking feature of this survey of the problems involved in boundary making is the author's comprehensive grasp of geographic and population questions from Patagonia to the Afghan highlands and from ancient Greece to the present day. Covering so wide a field the study cannot be detailed, but what the picture loses in detail it gains in boldness of outline.

Most writers have placed too much emphasis, it is pointed out, upon the ethnographic factors which are to be taken into consideration in marking out national limits. Though race should be considered, more important are the preferences of the inhabitants; and often more important than either is the geographical suitability of a frontier, for after all that frontier is best which holds out the promise that the lands it includes will be easily defensible and hence likely to enjoy freedom from successful attack.

The various sorts of frontiers are then reviewed and criticised. In ancient times the frontier was a strip of neutral or no man's land. The establishment of spheres of interest ripened into spheres of influence. These have always tended to become buffer states or protectorates and finally annexed territories.

Sea, mountain and desert frontiers are declared to be best when they can be used. Less desirable are rivers and still less to be sought those irregular boundaries which depend on "war maps," or on a too scrupulous regard for ethnographic characteristics of the population and the lines established by latitude and longitude.

From these points of view, the boundaries of the various sections of the world are then criticised. The lessons of the present war are constantly in the author's mind. The standards he sets would fail to be satisfactory to both sides in the present war in a number of cases, as rules on which peace should be established. Obviously, as the author points out, there are some regions in which no standard is likely to be productive of international quiet. Most strikingly is that the case in the region which is discussed in the concluding chapter—the Balkans.

CHESTER LLOYD JONES.

University of Wisconsin.

MATHEWS, JOHN M. *Principles of American State Administration*. Pp. xiii, 533. Price, \$2.50. New York: D. Appleton and Company, 1917.

This admirable description of the machinery and activity of State administration is the first separate treatment of the subject which has appeared. It sets a high standard for later works in this field. The book is made up of two main parts which describe The Organization of the Administration and the Functions of the Administration respectively. Under Organization there are chapters on the Governor, his powers, the officials of general administration, such as Secretary of State, Attorney-General, etc., the State boards, the civil service. Under Functions the author discusses taxation and finance, education, charities, health, the enforcement of State law, the administration of justice and newer functions.

One of the chief problems in a book dealing with the States is how to avoid a confusing recital of the varying practices of different States. The reader's mind is usually bewildered by the recitation of conflicting details. Dr. Mathews has made a strong and largely successful effort to solve this by selecting a few types of organization and describing these somewhat fully, and by subordinating the variations to footnotes or discarding them altogether. He has used good judgment in his choice of typical systems, usually presenting those which most deserve attention. The author's conclusions as to the modern tendencies in administration are sound and well reasoned. He offers also a goodly number of references for collateral reading and chooses these from works representing different standpoints. The reader is in this way given a broad view of State problems. There is a good concluding chapter on Reorganization.

Dr. Mathews has performed such a distinct service in the preparation of his book, that the reviewer is disposed to offer suggestions only as to a possible change in emphasis or proportion. A single chapter is devoted to Newer Functions of State Administration. These include such important subjects as the supervision of corporations, the administration of labor laws, the promotion of agriculture, etc. To most readers these subjects will be of much greater importance than has been assigned them. In most of the Commonwealths fully 60 per cent of the legislation and administrative activity deals with these subjects. In a later edition of the book, it may be hoped that the author will find room to expand the treatment of these topics, perhaps at the expense of the historical part of his chapters on Taxation and Finance. The book deserves and should find a wide field of usefulness among the colleges and universities.

JAMES T. YOUNG.

*University of Pennsylvania.*

PHILLIPSON, COLEMAN. *Termination of War and Treaties of Peace*. Pp. xix, 486. Price, \$7.00. New York: E. P. Dutton and Company, 1916.

The author of this book is a London barrister and a well-known writer on international law. The outbreak of the present war appears to have greatly stimulated his productivity for he has lately brought out in rapid succession a treatise entitled *International Law and the Great War*, a new edition of Wheaton's *International Law* and the work here reviewed. It is not known to the reviewer whether the present work was intended to serve those who, it is to be hoped, will



soon be engaged actively in the consideration of the problems with which it deals, but it is evident from a perusal of the book that it contains much juridical and historical information that can be utilized by the peace conference whenever it assembles and even by those whose task it may be to take the preliminary steps to bring about peace negotiations. It is impossible within the compass of a brief review to analyze a work of the scope of this one or to signalize in detail its merits and defects. Briefly stated, the author has undertaken to describe the various methods by which wars may be terminated; to state the legal effects of conquest, subjugation and annexation; to discuss the use of good offices and mediation; to expound the *modus operandi* by which peace negotiations are initiated, armistices concluded, peace conferences assembled, treaties concluded, etc.; and to describe their form, nature, contents, the methods by which the fulfillment of treaty speculations is insured, the effect of cession, etc. The whole procedure by which the transition from a state of war to a state of peace is accomplished is described in the minutest detail even to the proper arrangement of the clauses in the treaty and the order in which the signatures shall be attached. The study is historical, comparative and descriptive.

The steps by which the great European Congresses beginning with that of Westphalia were called into existence and the manner in which their procedure was conducted are reviewed in turn. The negotiations by which the principal wars of the nineteenth century were terminated, the terms of the treaties which followed, when and where they were ratified and other similar matters are all described in an interesting manner. The book is unique in that it represents the first attempt to assemble and analyze a large body of historical information which is most timely now that we are soon, it is hoped, to be the witnesses of the most imposing and far-reaching example of peace negotiations which the world has yet seen. Other books have been written on the treaty-making power and on the making and enforcement of treaties, but Mr. Phillipson's is the first to describe in a comprehensive manner the actual procedure that has been employed in the past in negotiating treaties of peace. As such it throws a flood of light on a problem that must soon confront the diplomats and statesmen of Europe.

In addition to the textual matter the book contains some 120 pages of documents consisting in the main of the texts of the great treaties beginning with that of Paris of 1815 and ending with the Turco-Bulgarian treaty of 1913. There is also a fairly good bibliography, an adequate index and a table of the cases cited throughout the text.

JAMES W. GARNER.

*University of Illinois.*

VALDÉS C., SALUSTIO. *Pan América y el Problema de la Defensa Naval de Chile.* Pp. 56. Valparaiso: Imprenta de la Armada, 1916.

This is an interesting sketch of the military problems which confront Chile and her neighbors. The author discusses the maintenance of the balance of power between the great States of South America, and urges their coöperation for mutual defense.

D. G. M.

## SOCIOLOGY

KELSEY, CARL. *The Physical Basis of Society*. Pp. xvi, 406. Price, \$2.00. New York: D. Appleton and Company, 1916.

In this book Professor Kelsey has not attempted to say anything new but to bring together a mass of knowledge which has never before been assembled between two covers. To lay a proper foundation for the study of society he sets forth what we know as to the relation between man and his physical environment, the control of nature, the evolution of man, heredity, eugenics, race differences, sex differences, the influence of society upon population, social institutions and the nature of progress. From the writings of the specialists on geography, natural history, biology, ethnography and criminal anthropology, he has gleaned, arranged and intelligently interpreted experiments and observations not easily accessible to the student. The style is clear and interesting, the treatment concrete and summary, the attitude objective and the spirit impartial. The author shows open-mindedness and sound judgment, and, in dealing with controverted matters, takes pains to give the evidence on both sides. He proves himself skilful in guiding the reader through a great body of data often ambiguous or conflicting. The book will be welcomed by teachers of sociology who have felt the need of an introductory text leading up to sociology proper. I can imagine no better use of Professor Kelsey's book than putting the class through it during the first part of a course in general sociology.

E. A. R.

LE BON, GUSTAVE. *The Psychology of the Great War*. (Trans. by E. Andrews.) Pp. 480. Price, \$3.00. New York: The Macmillan Company, 1916.

To those who are familiar with the previous writings of the author, the present volume will be something of a disappointment. The keen psychological analysis is present, as in *The Psychology of Revolutions*, but one misses the poise and balanced judgment. It is a splendid example of the influence of war upon even the scholarly mind. The writer is too near the events and too much concerned in the outcome to judge without prejudice. In Books I, V and VII devoted respectively to Psychological Principles Necessary for the Interpretation of the Present War, Psychological Forces Involved in Battles, and Unknown Quantities in Warfare, we find the unbiased analysis of the psychologist, while in Books II, III, IV and VI containing the description of Germany's Evolution in Modern Times, Remote Causes of the War, The Immediate Causes of the War, and Psychological Elements in German Methods of Warfare we find the perfectly natural but partisan reactions of the French nationalist. However much one may sympathize with the feelings of the author, nevertheless in a scientific psychological treatise on the war an analysis of the methods of all the nations involved should certainly be included. In other words, it should not be left to each nation to describe the psychology of the antagonist. It is unfortunate that such a volume as this purports to be, as judged by its title, should not have been deferred until the passions aroused by war had subsided so that a calm and balanced psychological

analysis of the whole conflict, not from the nationalist but from the internationalist point of view, could have been presented.

J. P. L.

MINER, MAUDE E. *Slavery of Prostitution*. Pp. xi, 308. Price, \$1.50. New York: The Macmillan Company, 1916.

Those who have known Maude Miner's work as Secretary of the Probation and Protective Association of New York will be especially interested in this summary of her many years' experience in work for delinquent girls. The book is written from a personal rather than from a scientific point of view and for that reason is valuable as a supplement to the various treatises and reports of vice commissions that have been issued on the subject of prostitution. The author shows that prostitution is not an isolated evil that can be abolished by direct methods of attack. She discusses its relation to housing conditions, industrial maladjustment and lack of recreation facilities, as well as to evil companionship and mental defect. It would have been well if she had also discussed the reverse side of the picture—the effect on the community of a policy of toleration. The distress of the individual woman is perhaps over-emphasized, to the exclusion of the more significant social effects of the evil that has enslaved her. The fact that the book is popular in form, free from sordid details, and gives much space to a program of prevention, makes it especially useful for laymen who are interested in modern methods of prevention and correction of delinquency.

H. G.

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# AMERICA'S RELATION TO THE WORLD CONFLICT AND TO THE COMING PEACE

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## FOREWORD

It will be of interest to the members of the Academy to know that the Annual Meeting Committee had completed plans to devote the Twenty-first Annual Meeting to a topic quite different from that which was finally selected. The change was made immediately after the delivery of the President's momentous address to the Senate on the 22d of January, 1917. The international program, outlined by the President in this message, made it incumbent on a national organization such as the Academy to bring to bear on the vital issues involved the best thought of the country.

With the outbreak of the war there were some of our members who felt that the Academy should abandon the idea of holding a national conference on our foreign policy at a time when the United States was actively participating in the conflict. After the most careful consideration of the situation, the officers of the Academy and the Annual Meeting Committee reached the conclusion that the fact that the United States was engaged in the conflict made the obligation all the more clear to consider in a scientific and non-partisan spirit the great issues involved.

The expectations entertained have been fully justified by the widespread national interest aroused by the discussions of the recent annual meeting. The Academy is under obligation to those who participated in the sessions, not only for their valuable contributions but also because of the elevated spirit, free from prejudice and partisanship, which dominated all the speakers. The officers of the Academy also desire to take this opportunity to express a deep sense of appreciation to those who served on the several committees, as well as to the contributors to the special Annual Meeting Fund which made it possible to hold so momentous a national conference.

L. S. ROWE,  
*President.*



# THE WORLD CONFLICT IN ITS RELATION TO AMERICAN DEMOCRACY

BY WALTER LIPPMANN,  
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## I

The way in which President Wilson directed America's entrance into the war has had a mighty effect on the public opinion of the world. Many of those who are disappointed or pleased say they are surprised. They would not be surprised had they made it their business this last year to understand the policy of their government.

In May, 1916, the President made a speech which will be counted among the two or three decisive utterances of American foreign policy. The Sussex pledge had just been extracted from the German government, and on the surface American neutrality seemed assured. The speech was an announcement that American isolation was ended, and that we were prepared to join a League of Peace. This was the foundation of all that followed, and it was intended to make clear to the world that America would not abandon its traditional policy for imperialistic adventure, that if America had to fight it would fight for the peace and order of the world. It was a great portent in human history, but it was overshadowed at the time by the opening of the presidential campaign.

Through the summer the President insisted again and again that the time had come when America must assume its share of responsibility for a better organization of mankind. In the early autumn very startling news came from Germany. It was most confusing because it promised peace maneuvers, hinted at a separate arrangement with the Russian court party, and at the resumption of unlimited submarine warfare. The months from November to February were to tell the story. Never was the situation more perplexing. The prestige of the Allies was at low ebb, there was treachery in Russia, and, as Mr. Lansing said, America was on the verge of war. We were not only on the verge of war, but on the verge of a bewildering war which would not command the whole-hearted support of the American people.

With the election past, and a continuity of administration assured, it became President Wilson's task to make some bold move which would clarify the muddle. While he was preparing this move, the German chancellor made his high-handed proposal for a blind conference. That it would be rejected was obvious. That the rejection would be followed by the submarine war was certain. The danger was that America would be drawn into the war at the moment when Germany appeared to be offering the peace for which the bulk of American people hoped. We know now that the peace Germany was prepared to make last December was the peace of a conqueror. But at the time Germany could pose as a nation which had been denied a chance to end the war. It was necessary, therefore, to test the sincerity of Germany by asking publicly for a statement of terms. The President's circular note to the powers was issued. This note stated more precisely than ever before that America was ready to help guarantee the peace, and at the same time it gave all the belligerents a chance to show that they were fighting for terms which could be justified to American opinion. The note was very much misunderstood at first because the President had said that, since both sides claimed to be fighting for the same things, neither could well refuse to define the terms. The misunderstanding soon passed away when the replies came. Germany brushed the President aside, and showed that she wanted a peace by intrigue. The Allies produced a document which contained a number of formulae so cleverly worded that they might be stretched to cover the wildest demands of the extremists or contracted to a moderate and just settlement. Above all the Allies assented to the League of Peace which Germany had dismissed as irrelevant.

The war was certain to go on with America drawn in. On January 22, after submarine warfare had been decided upon but before it had been proclaimed, the President made his address to the Senate. It was an international program for democracy. It was also a last appeal to German liberals to avert a catastrophe. They did not avert it, and on February 1 Germany attacked the whole neutral world. That America would not submit was assured. The question that remained to be decided was the extent of our participation in the war. Should it be merely defensive on the high seas, or should it be a separate war? The real source of confusion was the treacherous and despotic Russian government. By no twist of

language could a partnership with that government be made consistent with the principles laid down by the President in his address to the Senate.

The Russian Revolution ended that perplexity and we could enter the war with a clear conscience and a whole heart. When Russia became a Republic and the American Republic became an enemy, the German empire was isolated before mankind as the final refuge of autocracy. The principle of its life is destructive of the peace of the world. How destructive that principle is, the ever-widening circle of the war has disclosed.

## II

Our task is to define that danger so that our immense sacrifices shall serve to end it. I cannot do that for myself without turning to the origins of the war in order to trace the logical steps by which the pursuit of a German victory has enlisted the enmity of the world.

We read statements by Germans that there was a conspiracy against their national development, that they found themselves encircled by enemies, that Russia, using Serbia as an instrument, was trying to destroy Austria, and that the Entente had already detached Italy. Supposing that all this were true, it would remain an extraordinary thing that the Entente had succeeded in encircling Germany. Had that empire been a good neighbor in Europe, by what miracle could the old hostility between England and France and Russia have been wiped out so quickly? But there is positive evidence that no such conspiracy existed.

Germany's place in the sun is Asia Minor. By the Anglo-German agreement of June, 1914, recently published, a satisfactory arrangement had been reached about the economic exploitation of the Turkish empire. Professor Rohrbach has acknowledged that Germany was given concessions "which exceeded all expectations," and on December 2, 1914, when the war was five months old, von Bethmann-Hollweg declared in the Reichstag that "this understanding was to lessen every possible political friction." The place in the sun had been secured by negotiation.

But the road to that place lay through Austria-Hungary and the Balkans. It was this highway which Germany determined to control absolutely; and the chief obstacle on that highway was Serbia backed by Russia. Into the complexities of that Balkan

intrigue I am not competent to enter. We need, however, do no more than follow Lord Grey in the belief that Austria had a genuine grievance against Serbia, a far greater one certainly than the United States has ever had against Mexico. But Britain had no stake in the Austro-Serbian quarrel itself.

It had an interest in the method which the central powers took of settling the quarrel. When Germany declared that Europe could not be consulted, that Austria must be allowed to crush Serbia without reference to the concert of Europe, Germany proclaimed herself an enemy of international order. She preferred a war which involved all of Europe to any admission of the fact that a coöperative Europe existed. It was an assertion of unlimited national sovereignty which Europe could not tolerate.

This brought Russia and France into the field. Instantly Germany acted on the same doctrine of unlimited national sovereignty by striking at France through Belgium. Had Belgium been merely a small neutral nation the crime would still have been one of the worst in the history of the modern world. The fact that Belgium was an internationalized state has made the invasion the master tragedy of the war. For Belgium represented what progress the world had made towards coöperation. If it could not survive then no internationalism was possible. That is why through these years of horror upon horror, the Belgian horror is the fiercest of all. The burning, the shooting, the starving, and the robbing of small and inoffensive nations is tragic enough. But the German crime in Belgium is greater than the sum of Belgium's misery. It is a crime against the bases of faith at which the world must build or perish.

The invasion of Belgium instantly brought the five British democracies into the war. I think this is the accurate way to state the fact. Had the war remained a Balkan war with France engaged merely because of her treaty with Russia, had the fighting been confined to the Franco-German frontier, the British empire might have come into the war to save the balance of power and to fulfill the naval agreements with France but the conflict would probably never have become a people's war in all the free nations of the empire. Whatever justice there may have been in Austria's original quarrel with Serbia and Russia was overwhelmed by the exhibition of national lawlessness in Belgium.

This led to the third great phase of the war, the phase which



concerned America most immediately. The Allies directed by Great Britain employed sea power to the utmost. They barred every road to Germany, and undoubtedly violated many commercial rights of neutrals. What America would do about this became of decisive importance. If it chose to uphold the rights it claimed, it would aid Germany and cripple the Allies. If it refused to do more than negotiate with the Allies, it had, whatever the technicalities of the case might be, thrown its great weight against Germany. It had earned the enmity of the German government, an enmity which broke out into intrigue and conspiracy on American soil. Somewhere in the winter of 1915, America was forced to choose between a policy which helped Germany and one which helped the Allies. We were confronted with a situation in which we had to choose between opening a road to Germany and making an enemy of Germany. With the proclamation of submarine warfare in 1915 we were told that either we must aid Germany by crippling sea power or be treated as a hostile nation. The German policy was very simple: British mastery of the seas must be broken. It could be broken by an American attack from the rear or by the German submarine. If America refused to attack from the rear, America was to be counted as an enemy. It was a case of *he who is not for me is against me*.

To such an alternative there was but one answer for a free people to make. To become the ally of the conqueror of Belgium against France and the British democracies was utterly out of the question. Our choice was made and the supreme question of American policy became: how far will Germany carry the war against us and how hard shall we strike back? That we were aligned on the side of Germany's enemies no candid man, I think, can deny. The effect of this alignment was to make sea power absolute. For mastery of the seas is no longer the possession of any one nation. The supremacy of the British navy in this war rests on international consent, on the consent of her allies and of the neutrals. Without that consent the blockade of Germany could not exist, and the decision of America not to resist allied sea power was the final blow which cut off Germany from the world. It happened gradually, without spectacular announcement, but history, I think, will call it one of the decisive events of the war.

The effect was to deny Germany access to the resources of the neutral world, and to open these resources to the Allies. Poetic

justice never devised a more perfect retribution. The nation which had struck down a neutral to gain a military advantage found the neutral world a partner of its enemies.

That partnership between the neutral world and Germany's enemies rested on merchant shipping. This suggested a new theory of warfare to the German government. It decided that since every ship afloat fed the resources of its enemies, it might be a good idea to sink every ship afloat. It decided that since all the highways of the world were the communications of the Allies, those communications should be cut. It decided that if enough ships were destroyed, it didn't matter what ships or whose ships, England and France would have to surrender and make a peace on the basis of Germany's victories in Europe.

Therefore, on the 31st of January, 1917, Germany abolished neutrality in the world. The policy which began by denying that a quarrel in the Balkans could be referred to Europe, went on to destroy the internationalized state of Belgium, culminated in indiscriminate attack upon the merchant shipping of all nations. The doctrine of exclusive nationalism had moved through these three dramatic phases until those who held it were at war with mankind.

### III

The terrible logic of Germany's policy had a stupendous result. By striking at the bases of all international order, Germany convinced even the most isolated of neutrals that order must be preserved by common effort. By denying that a society of nations exists, a society of nations has been forced into existence. The very thing Germany challenged Germany has established. Before 1914 only a handful of visionaries dared to hope for some kind of federation. The orthodox view was that each nation had a destiny of its own, spheres of influence of its own, and that it was somehow beneath the dignity of a great state to discuss its so-called vital interests with other governments. It was a world almost without common aspiration, with few effective common ideals. Europe was split into shifting alliances, democracies and autocracies jumbled together. America lay apart with a budding imperialism of its own. China was marked as the helpless victim of exploitation. That old political system was one in which the German view was by no means alto-

gether disreputable. Internationalism was half-hearted and generally regarded somewhat cynically.

What Germany did was to demonstrate *ad nauseam* the doctrine of competitive nationalism. Other nations had applied it here and there cautiously and timidly. No other nation in our time had ever applied it with absolute logic, with absolute preparation, and with absolute disregard of the consequences. Other nations had dallied with it, compromised about it, muddled along with it. But Germany followed through, and Germany taught the world just where the doctrine leads.

Out of the necessities of defense men against it have gradually formulated the ideals of a coöperative nationalism. From all parts of the world there has been a movement of ideals working slowly towards one end, towards a higher degree of spiritual unanimity than has ever been known before. China and India have been stirred out of their dependence. The American Republic has abandoned its isolation. Russia has become something like a Republic. The British empire is moving towards closer federation. The Grand Alliance called into existence by the German aggression is now something more than a military coalition. Common ideals are working through it—ideals of local autonomy and joint action. Men are crying that they must be free and that they must be united. They have learned that they cannot be free unless they coöperate, that they cannot coöperate unless they are free.

I do not wish to underestimate the forces of reaction in our country or in the other nations of the Alliance. There are politicians and commercial groups who see in this whole thing nothing but opportunity to secure concessions, manipulate tariffs and extend the bureaucracies. We shall know how to deal with them. Forces have been let loose which they can no longer control, and out of this immense horror ideas have arisen to possess men's souls. There are times when a prudent statesman must build on a contracted view of human nature. But there are times when new sources of energy are tapped, when the impossible becomes possible, when events outrun our calculations. This may be such a time. The Alliance to which we belong has suddenly grown hot with the new democracy of Russia and the new internationalism of America. It has had an access of spiritual force which opens a new prospect in the policies of the world. We can dare to hope for things which we never dared

to hope for in the past. In fact if those forces are not to grow cold and frittered they must be turned to a great end and offered a great hope.

#### IV

That great end and that great hope is nothing less than the Federation of the World. I know it sounds a little old-fashioned to use that phrase because we have abused it so long in empty rhetoric. But no other idea is big enough to describe the Alliance. It is no longer an offensive-defensive military agreement among diplomats. That is how it started to be sure. But it has grown, and is growing, into a union of peoples determined to end forever that intriguing, adventurous nationalism which has torn the world for three centuries. Good democrats have always believed that the common interests of men were greater than their special interests, that ruling classes can be enemies, but that the nations must be partners. Well, this war is being fought by nations. It is the nations who were called to arms, and it is the force of nations that is now stirring the world to its foundations.

The war is dissolving into a stupendous revolution. A few months ago we still argued about the Bagdad corridor, strategic frontiers, colonies. Those were the stakes of the diplomat's war. The whole perspective is changed today by the revolution in Russia and the intervention of America. The scale of values is transformed, for the democracies are unloosed. Those democracies have nothing to gain and everything to lose by the old competitive nationalism, the old apparatus of diplomacy, with its criminal rivalries in the backward places of the earth. The democracies, if they are to be safe, must cooperate. For the old rivalries mean friction and armament and a distortion of all the hopes of free government. They mean that nations are organized to exploit each other and to exploit themselves. That is the life of what we call autocracy. It establishes its power at home by pointing to enemies abroad. It fights its enemies abroad by dragooning the population at home.

That is why practically the whole world is at war with the greatest of the autocracies. That is why the whole world is turning so passionately towards democracy as the only principle on which peace can be secured. Many have feared, I know, that the war against Prussian militarism would result the other way, that instead of

liberalizing Prussia the outcome would be a prussianization of the democracies. That would be the outcome if Prusso-Germany won. That would be the result of a German victory. And that is why we who are the most peaceful of democracies are at war. The success of the submarine would give Germany victory. It was and is her one great chance. To have stood aside when Germany made this terrible bid for victory would have been to betray the hope of free government and international union.

## V

There are two ways now in which peace can be made. The first is by political revolution in Germany and Austria-Hungary. It is not for us to define the nature of that revolution. We cannot dictate liberty to the German people. It is for them to decide what political institutions they will adopt, but if peace is to come through revolution we shall know that it has come when new voices are heard in Germany, new policies are proclaimed, when there is good evidence that there has, indeed, been a new orientation. If that is done the war can be ended by negotiation.

The other path to peace is by the definite defeat of every item in the program of aggression. This will mean, at a minimum, a demonstration on the field that the German army is not invincible; a renunciation by Germany of all the territory she has conquered; a special compensation to Belgium; and an acknowledgment of the fallacy of exclusive nationalism by an application for membership in the League of Nations.

Frontier questions, colonial questions, are now entirely secondary, and beyond this minimum program the United States has no direct interest in the territorial settlement. The objects for which we are at war will be attained if we can defeat absolutely the foreign policy of the present German government. For a ruling caste which has been humiliated abroad has lost its glamor at home. So we are at war to defeat the German government in the outer world, to destroy its prestige, to deny its conquests, and to throw it back at last into the arms of the German people marked and discredited as the author of their miseries. It is for them to make the final settlement with it.

If it is our privilege to exert the power which turns the scale, it is our duty to see that the end justifies the means. We can win

nothing from this war unless it culminates in a union of liberal peoples pledged to coöperate in the settlement of all outstanding questions, sworn to turn against the aggressor, determined to erect a larger and more modern system of international law upon a federation of the world. That is what we are fighting for, at this moment, on the ocean, in the shipyard and in the factory, later perhaps in France and Belgium, ultimately at the council of peace.

If we are strong enough and wise enough to win this victory, to reject all the poison of hatred abroad and intolerance at home, we shall have made a nation to which free men will turn with love and gratitude. For ourselves we shall stand committed as never before to the realization of democracy in America. We who have gone to war to insure democracy in the world will have raised an aspiration here that will not end with the overthrow of the Prussian autocracy. We shall turn with fresh interests to our own tyrannies—to our Colorado mines, our autocratic steel industries, our sweatshops and our slums. We shall call that man un-American and no patriot who prates of liberty in Europe and resists it at home. A force is loose in America as well. Our own reactionaries will not assuage it with their Billy Sundays or control through lawyers and politicians of the Old Guard.

## THE SIGNIFICANCE OF OUR MISSION IN THIS WAR

BY MILES M. DAWSON, LL.D.,

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The part which the United States should play in the war, and in making the treaty of peace, should be determined by the things upon which this government rests, for which it stands and the practicability of which it has demonstrated.

These fundamental things, as is recognized throughout the world, with dread by beneficiaries of autocracy, with tears and thanksgiving by friends of freedom, are few, but most important to mankind. Our triumphant justification of them brought together, out of all the nations of Europe, this great people, enabled France to find her way to a stable republic, made all American states republican, liberalized all governments the world over and, as a lode-

star, drew the half-wakened peoples of China and of Russia along the road to freedom under institutions modelled on our own.

These fundamentals may be epitomized into five:

1. The inalienable right of every man to life, liberty and the pursuit of happiness—not as a mere dead saying, but as a living reality.

2. The right of local self-government, within territories possessing or entitled to claim such right, embracing every power of government not expressly granted to the union.

3. The guaranty to each state of a forum for the redress of grievances of one state against another with full power to enforce the verdict of that forum.

4. The guaranty of a republican form of government to each constituent state.

5. The right and duty to maintain the union.

The United States, though by tradition and on principle neutral as regards quarrels between European nations, is forced into this war to defend the lives of its own citizens, engaged in peaceful pursuits and protected by international law and solemn treaties. The crucial issue which has driven our republic into the arena is to champion what the fathers of the republic rightly termed the inalienable rights of man. It would be quite impossible for this nation to retrace the step which it has taken, were the central powers merely to offer to respect the rights of our citizens and to make amends; the issue now is that, as regards all neutrals peaceably attending to their own business, these inalienable rights must be respected. The other things for which this nation stands are not involved so openly; they are not directly at issue. But are they not likely, even almost certain, to be determined at the same time and by the same arbitrament and thus the principles which our nation has established by demonstrating their practicability, to be incorporated into the treaty of peace?

For instance, what else does the proposition signify that small and weak nations shall be protected and be preserved, but that states and their peoples shall enjoy the right of self-government? And that this is to be protected implies, in turn, that the union of states which is to protect it, shall, acting together, be granted authority to adjust interstate issues and to enforce the verdict. Is not recognition of this essential, if situations like that which arose regarding Serbia are to be dealt with otherwise than by war? Or if

violation of neutrality and destruction of small nations, such as in the case of Belgium, are to be avoided?

It is a long step toward the realization of the fourth principle, that each such state should be guaranteed a republican form of government; but it seems not unlikely that it will be taken. Casting off their shackles, the peoples of China and of Russia have shown not only that Germans, Austrians and Turks might do likewise, but also that, in order to avoid the loss of honor and a remnant of power, monarchs may be inclined to yield the real reins of government to representative assemblies. This may, and probably will, be as far as this principle will be realized at present in some of the countries; but even so, it could not be expected that the peace of nations would be preserved if each were to be exposed to the peril of overthrow of its constitution by a tyrant. No union of nations, whether formally so organized or not, could maintain itself, without defending each nation in the enjoyment of republican institutions. The guaranty must, in the nature of things, be given; whether openly or impliedly, while important, is not all-important.

The United States has found it unavoidable to accept the burden of this guaranty even as regards states with which it has no express or binding union. Thus it has had to protect Mexico against the overturn of its republican government by Huerta, and Cuba against a like overturn by Gomez, not to speak of intervention in San Domingo and Costa Rica. It will also be impossible to avoid such guaranty, when, through some sort of joint agency, the nations undertake to protect the sovereignty of individual states, *viz.*, a guaranty that the peoples are really represented—even though in some cases misrepresented—in the government of the states that compose the union of nations.

The fifth fundamental principle, that such union of nations must be maintained and that no nation will be permitted to withdraw, may seem yet further from realization. Indeed it is not probable that it will be included in any treaty. But one must remember it was not in the federal constitution; yet it was enforced when secession was attempted. Secession from the union of states, composing this nation, is thinkable, however; but is it even thinkable that, once a world union is established, any nation would be permitted to retire?

Consider that, if the other nations remained united and were



much the stronger, it would mean that the withdrawing nation would be subject to their discipline but without a voice in their councils. This, only to enable it to shirk the common burden! If it sought to withdraw, rather than submit to control for the common good, that could not be suffered; if it withdrew as an act of defiance, its challenge would have to be accepted or the union would fall apart. The logic of events would thus compel the maintenance of the union.

Even by men who give much attention to international subjects and the study of government, it is not always so clearly seen as it should be that this nation has demonstrated that all these five things of so great importance to mankind are actually realizable. Yet this is the crowning achievement of the United States! Fewer, no doubt, have appreciated that already several of these things have proved necessary as an extra-territorial exercise of this nation's powers. Yet this is evidence of the great service of the United States in showing the way and of the great need for the extension of these principles to all nations.

Out of this example set by our nation and out of its righteous participation in this war with these purposes in view, there should come the application of these principles to the solution of the world's problems as the practical way to guarantee liberty to all nations, all peoples, all men.

## THE UNITED STATES AND THE WAR

BY SAMUEL T. DUTTON, LL.D.,

New York.

For nearly one hundred and fifty years we have been engaged in building a nation. At the bottom of all our endeavors there was a religious spirit and we have developed a tradition for honesty and fair dealing. We fought for liberty and for the preservation of the Union. As we review the history of those conflicts our conscience is clear. Great benefits have come to the world because liberty and union have triumphed on this continent. Other occasions where we have taken up arms we do not review with the same complacency. Our territory is vast and full of potential wealth and no longer can we say of different sections of our domain that the inhabitants are English or Dutch or Spanish. America is the home of all peoples

and our large cities are more cosmopolitan than were ancient Rome or Byzantium. Of some countries it may be said that there are more of their people in America than in the home land.

Never before has there been in any land such assimilation of diverse elements. The public school has done its full part and freedom of opportunity has done the rest. A great experiment in democracy has been successfully tried and we are one in spirit and purpose if not in blood. Witness how the people have responded to the President's call. Party lines have vanished. Democrats, Republicans, Socialists and Suffragists are all of one mind. There is a discordant element and it has made much noise but has probably done no serious harm. From the north, the south, the east and the west is heard the voice of patriotism and better than that is the calm and steady readiness of the people to do their full part in the great struggle. America with her forty-eight states and her wonderful variety in climate, relief and population is not heterogeneous as regards national character and ideals.

Her relation to the great conflict will be one of both cause and effect thinking of national self-consciousness and solidarity. War is a terrible curse but it has this virtue: that when the cause is a righteous one it unites all factions, promotes comradeship and draws into a common brotherhood persons differing widely in belief, rank, creed and vocation.

And what, let us ask, is the justification which impels a peace loving people to plunge into a struggle the most terrible the world has known? The answer is found partly in the political principles underlying our common welfare and partly in the constituent elements which make up our population. To put it bluntly we are friends of the Allies either through kinship or political belief, or else because of the outrages committed by the enemies of mankind.

This is no ordinary war. The issues at stake are profound. It is evident that there can be no safety for free institutions, much less for lasting peace, unless this hydra headed monster of militarism is destroyed. Here then is one most important relation which America bears to the war. It is that of a nation desiring world peace summoned by the voice of honor and humanity to join other peace loving nations in suppressing a gigantic evil.

Another relation of America to the war is that of our relative unpreparedness. In the eyes of many this is to be deplored and some

have thought it to be a national crime. I cannot agree with that point of view. If Great Britain and France had been prepared as Germany was it would have been difficult to say who caused the war. France was only moderately prepared and did not wish the war. Russia wished to avoid it. The communications of Sir Edward Grey to the Central Powers during the few days preceding the war show conclusively that Great Britain earnestly sought to prevent the war. The preparedness of this country as compared with that of Germany was far below the requirements of the modern war. Ten years ago Colonel Roosevelt as President was clamoring for six battleships per annum. Some of us pacifists (the term pacifist was then in less disrepute than at present) thought that two were enough. We deprecated having our government act as though it were preparing to fight Japan. I now thank God that we built battleships only moderately. We have far less old junk on hand now and our friendship with Japan has been growing year by year in spite of Captain Hobson and the yellow press. Furthermore, ships built ten years ago would be of very little use now. Naval defense has been revolutionized by the present war and we do not know today what will be required two years hence or five years hence. We do know that we will have to build a different type of ship from those demanded two or three years ago. Of the three hundred war vessels listed in a recent journal many are out of date; like automobiles warships must be of 1917, 1918 and 1919.

Our army has been too small, everybody knew it, but in prosperous times it is hard to get enlisted men. I wish to say that while I believe there has been a lack of efficiency in the administration of the departments of war and navy, I am glad that we have thus far maintained the reputation of not fearing our neighbors and have not needed to heap up great armaments. Moreover, I believe that when this struggle has reached its logical conclusion we can then adapt a policy of greater moderation in expenditure for the enginery of war.

Now that the great conflict has drawn us into its eddying currents the whole nation must think and act in terms of war. Our young men must now be trained as rapidly as possible. The office, the factory and the university must all contribute their quota. Young women also will be needed as nurses and helpers. Vast stocks of arms, munitions and food are to be provided and trans-

ported. Lessons of efficiency and economy are to be learned by all the people. There never was a more righteous cause for the issue affects the welfare and destiny of all living and of countless generations yet unborn. God grant that when the war is over there may be an end of deportations, atrocities, outrages and cruelties such as have never blackened the pages of history.

The great conflict is bound to disturb our economic balance. Some industries will be highly expanded, others will suffer. Submarine warfare is disturbing foreign trade and will no doubt bring enormous losses. There will be the greatest displacement of labor from one field to another both for men and women that the nation has ever seen. During the period when we were introducing labor saving machinery we saw the working out of this process. Then it was gradual; now it will be abrupt, dramatic and even tragic. So in entering the war we have to deal with problems of industry, commerce and taxation such as have not vexed us before. Two great evils are impending. First, lavish expenditure by those suddenly made rich and the sudden collapse which is likely to follow the war when the account of the world's losses is made up. Nothing but some great calamity will waken the torpid minds of our people to the economic dangers which are wrapped up in such a world tragedy.

Another relation is seen in the demand that the United States take a more active part in world politics and diplomacy. If this means that she is to become a military nation and help to maintain an armed peace, the idea is discredited by our history and ideals and should be resented by all loyal minds. If, however, it means that we are to join in a league of nations to establish international government founded upon justice, with equal rights for all states, using all sanctions such as public conscience and good-will, the sacredness of treaties and if necessary international police power, then America must play her full part.

There seems to be another supreme reason for our action. While democracy has succeeded in the western hemisphere, there is reason to hope that all states in the eastern hemisphere may be transformed and uplifted under its benign influence. China is awaking to a new life. Schools and colleges, many of them inspired and supported by Americans, are models for a universal system of education and better material out of which to make self-governing citizens has never existed. Considering how many of her young

leaders have been educated in the United States we may well take pride in China's progress. Then there is Russia. There are no words adequate to portray the things that are in store for that northern empire. It is the subtle spirit of democracy working silently year by year until the moment arrives for the nation's redemption. Surely America may well rejoice in the hope that the onward march of freedom may not be halted until all tyranny and oppression are relegated to the dark abyss from which they sprang. Here then is the most interesting of all of our relations to the great conflict, namely, our attitude to nations struggling for relief from the oppressor. Belgium, Poland, Serbia and Armenia all need our sympathy and our aid. As the President stated before Congress we have no ends to serve except those of humanity and democracy; but our relation to those impoverished and suffering states after the war should be close and salutary. America desires that all nations which have been deprived and defrauded of real freedom may in the crucible of war be refined and transmuted, and made fit to be members of the society of nations radiating the love of democracy and permanent peace.

There are countless bonds which in the past have bound the world together, educational, social, economic and scientific. America is involved by all these whether she will or not. As during the war, she has poured out her wealth to feed and clothe innocent sufferers and has now taken her place as an ally of those who are fighting for freedom, so, after the war, she must continue her ministrations until hunger, pain and distress shall have vanished from the earth. There is also the world of thought and aspiration, of sympathy and of high-minded altruism. These are to be quickened and enhanced by the war, and afterwards it is to be expected that all nations will be drawn more closely together than ever before, and will come to hold in higher appreciation the things of the spirit and the great verities which give to man a high place in the kingdom of God.

What can America do to aid in establishing international government dedicated to durable peace? That is a great question and one will hesitate to give a categorical answer. I trust that whatever we undertake will be based upon the expectation of a new world order. There is considerable prospect for a federation of democracies when universal suffrage, justice and humanity will

be great words in the international conference. President Wilson has been disposed to state principles rather than advocate specific measures or remedies. The League to Enforce Peace has done a good work in calling the attention of the people of this and other countries to the possibility of a concert of nations with pacific means of settling all differences. The name of the league is not happy and undue emphasis has been placed upon force as the most important factor. At present the United States is joining with the Allies in the enforcement of war. When the war is over it is to be hoped that the need of force will largely cease. Democratic nations will not wish to look each other in the face and say we will compel you to do this or that. The suffering, humiliation and sorrow of the war will so chasten the nations that moral forces will come to the front as never before in history. The World Court League, which accepts all the proposals of the other league except one, is basing its hope upon the establishment of an international court and other subsidiary institutions, as well as upon the increased power of public opinion in favor of such agencies. The same public opinion which has caused the overthrow of autocracy in Russia and is threatening to undermine the Prussian tradition, will be strongly felt at every stage of the reconstruction period. The two leagues to which reference has been made and other organizations working for durable peace should not fail to hear the many voices in all parts of the world demanding that war should cease. There is good hope that an international executive may be developed and there must of course be a constabulary, or police force large enough to keep order and to represent the power and majesty of the united nations of the earth. And there will be no more suggestion of war in this than there is in the existence of municipal or state police. The United States will perform one of her greatest services to the world in helping to work out this beneficent plan. She may well take the lead in establishing a league of nations based upon justice and conciliation.

So we may say in conclusion that the relation of America to the great conflict is one of understanding and appreciation. Joining in the war she expects to suffer, but her suffering and her losses will bring her into closer sympathy and fellowship with other peoples who in blood and in tears are battling for the welfare of mankind. All other relationships to the war seem less important than this. To

have a share in freeing the world of oppression and cruelty is an undertaking worthy of America. With malice toward none and with good-will to all, we may see to it that in every land the principles of democracy and humanity are dominant. As our President has pointed out: we have no ends to serve but the good of mankind, but, if the adventure is successful, America will have a commanding influence and will rejoice eternally in having done her part.

## PLANNING THE FUTURE AMERICA

By HENRY A. WISE WOOD,

New York.

One of the chief faults of our happy-go-lucky America is its complete absorption in affairs of the moment. It lives wholly in the present, thinking little of its past and not at all of its future.

A huge, good-humored, industrious but untrained multitude, it wanders contentedly along without thought of a destination. Having neither a consummate leader, nor a chart, nor a goal, its pain and its pleasure are almost the sole directors of its course.

If things go well, it believes itself to be upon the right path; if they go ill, its members rush hither and thither in pained confusion until a more comfortable path is found, when it moves off along that course with no eventual objective in view.

When the guiding force of a people is compounded of the thought of all of its members, that people must necessarily move and develop by a succession of loosely related experimental steps. A people must grope or be led. Democracies usually grope, with occasional periods during which, having fallen under the influence of men of foresight and strength, they are directed along preconceived routes towards clearly defined objectives.

There are times when a people have become so preoccupied by their local affairs that they are deaf to suggestion, however beneficial, which calls for a change of thought and action. In such a state of inertia were the American people at the beginning of the present war, and until the aggressions of Germany grew to be intolerable. There are other times when a people, having been aroused out of intellectual lethargy into a state of acute cerebration, are mentally mobile and

may easily be led into new paths, if those paths meet with their approbation. In such a state of intellectual fluidity are the American people at the present time.

A critical moment, therefore, in the life of the nation is at hand, a moment during which the nation will change its mind; during which it will abandon old and embrace new purposes and choose a new pathway into the future.

This then is the opportunity of the dreamer of dreams; of the man of vision who believes he can serve his country by pointing out to it the highway to a great national destiny. To such a man time is as nothing, obstacles are as nothing, the labor, the sweat, the pain of the builders are as nothing. To him the goal, the goal only, is reality. That end achieved, and he knows the memories of the struggle will grow golden and become the traditional glories of the nation.

Need an American be ashamed to confess that he wishes his country to become the great empire of the twentieth century, democracy's greatest empire? That he covets for it a power great as was that of Rome, beneficent as is that of the British Empire, youthful, creative, and altruistic as is that of buoyant America? That he believes this end may be achieved, not by the acquisition of additional territory, not at the cost of his nation's friends among peoples, but at their gain by rendering the world such service as the world never has had?

In the United States we have the largest group of educated members of the white race to be found anywhere in the world. They constitute the only great two-ocean nation and are astride the temperate zone; they are industrious, ingenious, enterprising. They possess an aptitude for the farm, the forest, and the mine, the laboratory, the factory, and the sea, and occupy a territory rich in every natural resource. They are peace loving and benevolent.

What shall such a people do with their future? Shall they permit it to develop haphazard; shall they advance without plan or direction to an unforeseen destination? Shall they not, instead, determine their future, make of it a carefully thought out enterprise, and create and organize the means necessary for its accomplishment, as a definite national undertaking?

Being among those who believe that the future should be the



result of design, not of chance, I make bold to point out what in some respects I believe to be America's future place among nations.

America has long been one of the world's greatest producers of foods and raw materials. This advantage we must not surrender; we must not permit our growing industries and increasing tendency towards urban life to lead us to curtail our output of natural products. On the contrary, we must strive by better methods of cultivation, conservation, replenishment and working, to increase vastly the output of our natural substances, and to reduce their cost in the world's markets.

Having at hand the necessary raw materials, a populace unequalled in ingenuity, of high technical skill in the arts and easily taught new processes of manufacture; having a home market so vast that standardization becomes possible to an extent not possible elsewhere, and having the world's largest accumulation of free capital, there lacks nothing but the undertaking of the project to make of our country the foremost workshop of the world.

This we may easily do if we but set our industrial house in order, if we but hasten to learn and apply to our needs the lessons of class coöperation that the warring nations are teaching us, and turn our government into a great industrial warder and schoolmaster. The industrial armies of the other peoples have been drained by the war, and for more than a generation will be without the vigor that once was theirs. We shall be required to supplement their efforts, and supply to their own peoples and to the other peoples who have depended upon them that which they no longer will be capable of producing. If we but grasp these, our opportunities, we shall become the world's foremost manufacturing nation.

We must recover our maritime supremacy, and become the world's chief sea carrier. Once again must the American flag be the flag oftenest seen upon the waters of the earth. During the year 1914 only 9.8 per cent of our foreign trade was carried in American bottoms; in 1830 it was 90.3 per cent. It is inconceivable that we should not instantly abandon the policies which have been making for our maritime suicide, and adopt others which will restore to us our birthright of sea use, which we have so recklessly tossed into the laps of other nations. The sea strength of Germany against which we are now so lavishly building in self-defense was largely paid for by ourselves.

Germany's profits upon the sea carriage of our own goods and people have built her merchant fleets, have helped to develop her shipyards, and have gone far towards the creation of her only-second-to-Great Britain's naval power. We are now rendering a similar service for Japan. To carry our own exports, imports, and passengers, whether in the Atlantic or Pacific, must henceforth be our inexorable purpose. American ships for Americans and their goods, this must be our slogan.

In order to become the world's foremost manufacturers and merchants, we must become the world's chief bankers. Where foreign enterprises may borrow, there will they trade. The American banker and American salesman must go abroad hand in hand. We must assist and encourage them as the pioneers of the new world-drawn industrial life into the enjoyment of which America is about to enter.

The nation's surplus capital must be set to work for the nation wherever beyond the seas good returns in interest and trade are forthcoming. And selected youth must be especially trained for the handling of America's banking and commercial interests abroad, trained in the languages, manners and customs, tastes and prejudices, of all foreign peoples. For this work there should be created a great national institution, subsidized by the government, with training field stations in all countries. Such an institution could provide us also with consuls, so that trained Americans would replace our untrained consuls, many of whom are of foreign citizenship and their loyalty not always to be depended upon. Thus we shall be made able to satisfy at our profit the needs of all nations, and draw an ever increasing income from the industry of other peoples.

In planning the future it must not be overlooked that security is an essential condition of over-world trade, the security of the individual American and of his property. Unless the pioneers of American commerce be safe in life, money, and goods their enterprises are but houses of straw, subject to the cupidity or passion of those in whose midst they are.

Under insecure conditions American over-world trade can neither take firm root, nor prosper. Therefore, if we wish to create a great world-serving industrial democracy we must lay down and inexorably maintain the principle that wherever an American hap-

pens rightfully to be there his government will insist upon the security of his life and property. The injury of an American upon the high seas or abroad must once more become the concern of all our people, and be resented by all our people with all their might.

We must accept and vigorously act upon the age old saying: Fast bind, safe find. We now see that no nation can carry the commerce of the world in one hand and an empty blunderbus in the other. That commerce can no more be safeguarded by treaties than can a treasure by a copy of the Eighth Commandment pasted upon the door of the vault which holds it. We now know that no one but the well-intentioned respects treaty or commandment; that the ill-intentioned respects only superior power. We therefore must hold superior power. We must be respected not only because of our intellectual and material usefulness to our neighbor nations but also because of our ability, our readiness, and our determination, everywhere and upon every occasion, to support with force if need be the rights even of the humblest of our people, be those rights assailed by a nation little or big. The aegis of America must protect the American, as did that of Rome, the Roman. Upon no other terms can a nation win either the respect or the trade of the world. We must have both.

## GROWTH OF INDUSTRIAL DEMOCRACY

### MACHINISTS AS PEACEMAKERS

BY ARTHUR E. HOLDER,

Legislative Representative, American Federation of Labor.

This great national question that we are face to face with is one that the laboring men of the United States are meeting calmly, but with supreme confidence. We are neither pacifists nor jingoes, and we don't propose to become hysterical. We are going to do what we can to coöperate with our neighbors, whether they be capitalists or scholars, to mobilize the good-will of all our people, to mobilize our genius, our skill, and every variety of service we may be expected to render. We realize that those who come under the broad class of "labor," will suffer most from the human sacrifice.

Labor, during this trouble, will even stand some imposition. But we will not forget. And we now furnish warning that if any attempt to impose is made, there will be a reaction, and labor will have its say when the balances are cast.

A day or two ago, while in Bridgeport, Connecticut, I was reminded very forcibly of a remarkable expression given by the Prince of Peace wherein He said: "For what shall it profit a man, if he shall gain the whole world, and lose his own soul?" The reason this thought which He so beautifully expressed came to my mind was because I had personally come face to face with petty autocracy, which has been needlessly established in that beautiful city of clever artisans. I could not speak in public as an American citizen to my fellow American citizens without having before me, with his baton unsheathed, one of the police officers of that town. One of my friends who recently returned from Pittsburgh, Youngstown and Cleveland informed me that the same situation existed in those great industrial centers. He said it was a physical impossibility to hold a public meeting before shop gates, and it was becoming more difficult to be able to lease or rent a hall to discuss economic questions of a domestic nature that are absolutely foreign to the trouble across the water. Thus the city fathers of Bridgeport recently enacted an ordinance by which the great first amendment to the American Constitution, guaranteeing free speech, is stricken out and taken from the people without so much as asking "by your leave." Therefore the thought has come to me most forcibly, "For what shall it profit a man, if he shall gain the whole world, and lose his own soul?" and what shall it profit us Americans, as citizens of the highest grade, if we undertake to fight for democracy for the world and then allow petty autocracy to arise in our own land and dictate to us what we shall do and what we shall not do? Labor proposes to resist to the utmost every encroachment on our common rights: we will maintain all the personal, inherent and constitutional rights for which our fathers fought.

Let me refer to what may happen after this world war terminates. It would be a bold man to undertake to make a prophecy, but I have had wide experience in this world. I know something of human character. I have some suggestions to make and no better place can be afforded. First, let me drop this hint as to international coöperation in political matters. I have

traveled in Europe, as a working man. I know the Europeans first-hand and I have found that they have no idea whatsoever of the political organization of the United States. They have no proper understanding of our dual system of state and federal government. When once we inform them how smoothly and how equitably we manage our local and national affairs, it would not be a difficult matter to explain to the German, the Austrian, the Hungarian, the Frenchman, the Belgian and the Briton that they can have a United States of Europe if they want it, and it will work just as smoothly there, with all of their nationalism, as it has worked here in this great melting pot. Here with men of all races, all creeds, and many handicaps which tend to hold men back, we have blended into a common whole and built up this great, grand republic. Let us tell our European neighbors how we do things, and when once they know, they will learn the true meaning of those inspiring words "democracy" and "efficiency."

I have some information to convey to you with which you are, perhaps, not familiar. During the Sixty-fourth Congress, some exceptionally revolutionary industrial legislation was enacted. You have been busy people. You have been unable to pay strict attention to Congressional details. You have had to make a living and follow your daily pursuits, and the public press—who own and manipulate news service—has apparently made up its mind to a conspiracy of silence on real information. It has not informed Americans as to what was incorporated in the Army Appropriation Law of the last Congress. It contains a confiscatory clause investing the President of the United States with authority to take, for federal use, any factory that may be needed for national use. The man or men who own it, if they dare to place any obstacles in the way, are subject to exceptional penalties! In the Naval Law of the last session, a commandeering clause was included, authorizing the President to take possession of any private plant that may be needed to build naval vessels or merchant ships. In that act the penal clauses are not as severe, but the power is there. The National Defense Act contains the nitrate section, No. 79. I hope you will all examine that particular piece of legislation and read carefully the most far-reaching industrial legislation ever enacted by Anglo-Saxons, either in the United States or the United Kingdom. There was much debate in the United States Senate

about it because one southern gentleman feared—"it was a step toward socialism." And oh, how scared he was of that awful word; he didn't want the United States government to enter private business, and manufacture fertilizers for the agriculturist! No, indeed! He was perfectly willing that the proposed plants should manufacture nitrates for munitions, but he didn't want to interfere with private fertilizers' rights! Nevertheless, the bill passed over his protest.

When committee and individual amendments were being considered a senator from the far west succeeded without debate, in getting four simple words inserted in that act. They give the power to the United States government in nitrate plants to manufacture fertilizers for agricultural use, nitrates for munitions, "*and other useful products.*" You see the significance of that? Why, we can now, as a people, compete with private monopolies. We can make shoes, manufacture furniture, steel rails, locomotives or refine crude oil products. We can do anything now that Uncle Sam wants with full legislative authority. No senator objected to those four powerful, all-embracing words, and they are law.

The possibilities contained in the nitrate section will help us to solve some of our economic difficulties after the world war is over. It is really a fundamental, bed-rock proposition that will enable us to start a real coöperative industrial democracy which Mr. Lippmann has so eloquently portrayed.<sup>1</sup>

I want to tell you what labor suggested to the House of Representatives as a means of raising added revenue instead of issuing bonds. We recommended that the postal savings bank system should be extended for readier deposit by the people of the United States of immense sums of money. We want to mobilize those great financial resources that are in the pockets of millions of our people who have never dared to be bondholders but who would never hesitate at all to go to Uncle Sam's own depository in the post office and bank their savings. We asked that the limitation of deposits to a thousand dollars should be withdrawn and that people could freely deposit all they possess. We asked that the rate of interest should be increased from two per cent to three per cent on the grounds that, if we have to have bondholders to carry this debt either for this generation or for some future generation,

<sup>1</sup> See page 8.

then all the people should be given an opportunity to coöperate and be the bondholders. We asked that the income tax should be substantially increased and graduated. We asked that the inheritance tax should be materially increased, and that these two latter resources should be made to bear the largest proportion of the financial needs of the government. We also proposed what probably some people will feel pleased to know. We proposed that Congress should levy a tax on land values, not only as a war emergency measure, but also for a permanent means of raising public revenue for all time.

I am a working man, a machinist. I must apologize for the lack of forethought and foresight of my trade. We are the ones who are really responsible for this war—our trade, the machinists—throughout the world. If we had been blessed with foresight, if we had possessed sufficient intelligence to have seen what was coming, if we had coöperated and united our forces with those of our fellow machinists in Germany, Great Britain, Italy, France and Russia, we could have said to kaisers, emperors, kings, princes and potentates, "If you want to fight, you make your own weapons; we machinists will not do it."

If I live, I am going to devote the balance of my life to seeing that, when this awful struggle is over and the butchery is ended, there will be a delegation of trade unionists representing the machinists of the United States, who will visit their fellow machinists in the several European countries and say to them,

Let us unite in behalf of peace and brotherhood. In the skill of our hands lies the destiny of the world. We can control it for peace and happiness, or for death and destruction. Let us put an end to machine butchery. Let us refuse to make weapons of war. We can if we will and for humanity's sake we will be, we must be, the great peacemakers in the future, so that the world shall never again be torn apart in the awful way that it has been during the three years, 1914 to 1917.

THE WAR IN ITS RELATION TO DEMOCRACY AND  
WORLD ORDER

BY EMILY GREENE BALCH,

Emergency Peace Federation, New York.

America enters the war on grounds of the highest idealism, as the champion of democracy and world order. I will say briefly something as to two points: first as to democracy, and secondly, as to world order. But through all I have to say there will run, as a unifying thread, the question which confronts us all (not only now, but before the war and after the war and always), a question to which no simple answer is possible, the question of the place of coercion.

I suppose we are all ready to grant, whatever our opinions, that coercion is a thing of which we desire to have as little as may be, that the quality and effect of any moral act are better, in proportion as they are free of the element of coercion; that economic action is more effective and in every way more desirable in proportion as it is free of all element of coercion; that political action, the action of the citizen, is higher in proportion as it is clear of the element of coercion.

## COERCION IN DEMOCRACY

How far can democracy be forced upon others or given them? If a people are free or democratic in their purpose and desire, but externally coerced, the external coercion may be removed and freedom allowed to express itself, but democracy and liberty, which are all ideas, all states of mind, must spread by contagion or imitation or whatever you want to call this divine tendency of mind to kindle mind and purpose. They can neither be presented to nor imposed upon others. A war for democracy and liberty faces this limitation.

We must remember always, in dealing with others, the peculiarities of human nature, and we can best understand human nature by the rule, which is as scientific as it is good, of believing that others are likely to act as we should act in a given situation. How far will a threat of outside force lead a nation to change its political customs and institutions, and how far will it act as a riveting and



consolidating force upon those elements of self-will which are so powerful in us all?

Must we not conclude that a country serves democracy principally and chiefly by being democratic, that it cannot enforce democracy? The same is true of liberty—liberty which is a part of democracy, though not all of democracy, as freedom from coercion is a part of liberty, though not all of liberty.

Where, in war time, with all the strains and stresses of war time, should tolerance and freedom cease? A bill, let us say, is before Congress, approved by a committee of the Senate, disapproved by a committee of the House. At what point is it illegitimate for citizens to discuss this legislation? Is it desirable in the interests of our country that it should be impossible to get a hall in which to discuss a piece of pending legislation? Is it desirable that ministers of the gospel and lawyers and reputable citizens up and down the land should feel themselves not only exposed to moral and social coercion, but to actual violence, if they discuss a piece of pending legislation in which they are interested and which they believe to be contrary to the welfare of the country?

Let us hold ourselves in control, let us be willing to have all points of view discussed in proper ways at proper times, with that freedom which is the pride and safeguard of our country, the salt in the dish of our national life.

We have read much during the last three years of the dangers of secret diplomacy. Now, vigilance is indeed the price of liberty, and it is very necessary that the public opinion of this country should intelligently and consistently acquire a knowledge of the details of the government's policy. I do not mean, obviously, the details which it is necessary, for executive purposes, to keep secret. No sane person would desire to have such details made public. But this country is entitled to be informed (and must continuously demand that it be informed) of every commitment, direct or indirect, by treaty or inference or gentlemen's agreement, of anything binding us, anything that we cannot throw off afterwards, because the course of events has been allowed to commit us to it without our having so intended.

Without arguing as to whether conscription is either wrong or unwise, I want to ask you to think it through.

Take the case which is least favorable to the opponent of

conscription. Consider the case of a young man who is not a conscientious objector in the sense of having religious scruples, a young man, let us suppose, who in the first place does not believe that this war is desirable for the country. There are intelligent persons and right-minded persons who held that view before the war and who, perhaps, have not changed it since. You require this young man not only to expose himself to the most intensive and prolonged suffering of which a human being is capable, endurance carried absolutely to the furthest limit (for endurance is, after all, a small part of what you ask of him), you ask of him to use his will-power, his intelligence, his personality unreservedly to further ends in which he disbelieves.

Now, suppose, further, that this man not only believes that the war is useless, but that he feels, as many religious young men do feel, that it is the last horror to go out and deliberately inflict injury on one's fellowmen. I think that when we make up our minds on this, we ought to try to see the vision from the inside as it presents itself to the individual, perhaps a boy too young to make his will, too young to marry without his family's consent, too young to vote, for whom this momentous decision is made by others.

Too often we conceive of an end of all war, of a world order, in a merely negative sense. We conceive of it primarily, too often, as a coercive league to prevent any of the partners breaking out into the use of violence for the achievement of an individual national end. Surely this is a most deformed and inadequate conception of the goal. Surely what we want is a free society of nations, with active, deliberate and interested coöperation for the great common ends. I do not desire so greatly a world in which we shall all, somehow or other, checkmate one another's desires to make war as I desire a world in which we stand shoulder to shoulder, all peoples working for those great ends which interest all people alike, and to which the native differences of different peoples are the greatest possible contribution, and which would lose by the stagnation of uniformity. We want the harmony of a symphony employing every conceivable type of instrument, not the dullness of similarity.

The constructive genius of the race must work out such a plan for proposing to all nations that you could not possibly force the Central Powers to keep out of it. I believe that it is a perfectly

practicable thing to offer them such a new world partnership that they will only be too eager and glad to come in.

There is an old fable which is always new, the story of the traveler and his cloak and the sun and the wind. The wind laughed and said, "See me take that man's cloak off," and he blew hard and whistled sharply, and the man wrapped his cloak about him as closely as he could. The sun smiled and said, "See me do it," and before he had done smiling the man had the cloak over his arm.

The nations desire nothing better than to throw away their armies and get rid of them. They are the most burdensome cloak that a people has ever had. But as long as we are in a world of imperialisms we shall all cling to them. It is only when we enter upon another plane that we shall find our armies a vast and unnecessary expense and a vast and hideous moral shame.

The time is to come somehow, sometime, when the ruling type of our civilization will be a coöperative world order in which the element of coercion will be shrinking more and more and in which the element of free, spontaneous, joyful fellowship will be ever greater and greater.

## PEACE WITHOUT FORCE

By S. N. PATTEN,

University of Pennsylvania.

The program outlined by the President in his address before the Senate on January 22 seems to be a break in national traditions. In reality, however, there has been no break, but a fulfillment. What Washington said, what Monroe said, what Lincoln said, is said again by President Wilson more clearly and more in harmony with the actual trend of events. The thought of the fathers should be perpetuated but we should not be slaves to its formal expression. What they wanted we want, but new conditions force us to adopt an attitude in harmony with the closer relations in which the world now stands. Berlin and London are not so far from us now as Charleston and Boston were from Philadelphia a century ago. If we needed state unity then we need world unity now to attain the ends for which our constitution was formed. Carried along by

international forces, we have become aware of cosmic emotions but we dread the changes involved and fear to trust ourselves in untried waters. The transition has been made more difficult by the presence among us of false prophets who, under the pretense of an advance, would in reality drag us back into a preceding epoch from which we have fortunately emerged. Today these reactionaries are thinking of fighting, of coercion, of elimination, of peace with victory and other slogans which make the shuddering citizen thankful for the protection which wide seas afford. If the world is a seething turmoil, the more our isolation the better.

Beside these would-be warriors who would drag us into partisan struggles there is a group more modest, more peaceful and yet I believe a greater cause of the present confusion of thought than the advocates of war. The League to Enforce Peace seems an organization to promote harmony and doubtless this is the earnest wish of the promoters. But the average citizen thinks of the difficulty it would create. If we are to have an "enforced peace" America must enforce it. Who can tell what millions of men and billions of money will be needed to impress our standards on the world? All conquering races have worn themselves out in vain endeavors to enforce peace. Why should we try anew to do what other races have failed to do? Never was the world larger or more diverse than today and is not diversity more important than unity?

I do not mean to argue the issues involved. At bottom I agree with the doubting citizen rather than with our new group of social philosophers. If we are to convert the world to our view I prefer to send missionaries rather than soldiers. If ideas cannot cement the world even the hugest armaments will fail. Guns may bring victory but they never bring peace. An armed peace is only an interlude between wars. Enforced law is hated law. Peace without victory abides through the spirit of brotherhood it engenders.

The advocates of peace with victory and peace without victory differ in their concept of human nature and of the motives that control men's actions. Doctrines about enforced peace take their rise from the philosophy of Thomas Hobbes. He regarded the passion for war as a fundamental human trait. In a natural state each man is at war with every other man. Security comes from the suppression of the natural instincts. The king, some ruling caste, some delegated body, must make decisions and enforce them against

the natural inclinations of the unruly masses. Peace thus means submission, not choice. This philosophical view is buttressed by the doctrine of depravity that for ages dominated the theological world. It is firmly held by those who believe in an aristocracy or a cultured class to control the discordant tendencies of the public. Only by hardship and discipline can the waywardness of men be kept under control. When these fail as a basis of coercion there is the theory of backward races to invite aggression and to excuse the dominant races when they impose their will on subject races. All these views are the expression of the same philosophy and carry with them the same need of "enforced law." Is it any wonder that the American people should hesitate to enter a league of enforced peace if the mass of the people beyond their borders have the natural inclinations of the savage and can be kept in subjection only by the impressment of superior force? It may be a very moral task to hold a world in subjection, but the history of many failures of imperialistic ventures shows that enforced peace is a waste of blood and treasure. Why is not isolation better than domination if the hearts of men are as black as has been pictured? Is it not better to be in a happy oasis than to be engulfed in an eternity of strife and brutality?

I see no satisfactory answer to these questions except in another view of human nature. Is Hobbes right that war is in our souls and that peace comes from without or does peace dwell within us while war, crime and vice are externalities imposed on men by the crippling power of supermen? Are the defects that make for war in men or in social institutions? Only as we discover what is external and thus imposed and what is internal and thus self-evoking can we know what plan to follow when we seek to improve either men or the conditions under which they live. To reach a higher state we must alter conditions if men are naturally good. We must alter men if they are by heredity bad. The two alternatives have little in common. Our institutions and behavior must conform to one ideal or the other and as we decide will we seek war or peace; will we rely on brotherhood or force.

It would take a book to discuss these problems but it should not take many pages to determine what behavior is called for by each plan. Either men love badness or are unwillingly bad. Government is cooperative good will or an inhibiting force just as war and

strife, vice and crime are within or without. Either man is a brute vainly striving to rise or he is a rational being depressed by overpowering circumstances. If men are pure they need not the enforcement of peace but the displacement of external causes of conflict. Every depressing factor we remove makes a more normal man, a better adjustment, less friction and stronger bonds of brotherhood. Our problem is therefore to search for the disturbing factors that depress and through their removal secure the peace which by nature men crave. War is an acquired attitude; peace and sympathy are the natural expression of our emotions.

The external factors making for war come under three heads: repression, restriction and exploitation. The principal repressions are due to race, religion and language. Restrictions lie mainly in the sphere of economics and are designed to give some region or class a greater superiority of income and welfare than nature would give them. There is a long bitter history of these repressions and of the evils that flow from them. No nation or class is free from attempts to gain economic advantage at the expense of its neighbors nor is there any group who have not felt the force of imposed restrictions and resented the resulting evils. No nation is a unit of equal men. The few dominate at home as the more brutal dominate the world at large. With such a commingling of evils and misunderstandings is it a wonder that war becomes the expected state and that peace seems to be the dream of enthusiasts?

Repression and exploitation not only take from the injured the objective equality on which their happiness depends, but they lead to psychic degeneration. The loser in position also loses in character. All virtues are dependent partly on objective conditions and fade with depressions. Even the physical traits are weakened or disappear. And to these we must add disease, poverty, filth and starvation as causes of still other abnormalities than the original repressions create. It is not difficult, therefore, to account for the race and class antagonisms nor for the abnormality and degeneration that accompany them. What the spirit wills, objective evils prevent. Visions of beauty are transformed into the dross of the street; truth keeps us counting our woes instead of seeing the firm basis on which progress rests.

Our evils are not in a depraved human nature but in defective political institutions. The individual is protected against state

aggression; the people against the king, but there is no protection of the masses against the ruling class. We think of ourselves as a democracy and yet our traditions keep the masses from an immediate control of their destinies. Should we go to war today,<sup>1</sup> the decision will be made by people elected on other issues and not by popular assent. I find no fault with our President, but can we call ourselves a democracy when one man may plunge us into a war whose evils may weigh on us for a hundred years? If this be true of us, what can be said of Europe where millions of lives and billions of property have been sacrificed to the whim of the ruling class? No government asked its people if they wished to fight: nor has a single national election occurred since the outbreak of the war to test popular sentiment. Not only is the war carried on without popular approval, but the conditions of peace will be determined and the distant future fixed before the people have an opportunity to express themselves. It is this distrust of democratic decisions that creates the barriers preventing world harmony. What evil from democracy could equal the failure of each ruling class to reflect the welfare of their own nation? We assumed an aristocracy would at least protect the interests of property but where has a mob shown itself so ruthless in its destruction? We have thought that the educated class would prove a barrier to passion only to find that the higher up we go the more vigorously has the flare of emotion expressed itself. Passion today comes not from the street but from the newspaper; its readers are not the despised mob but the arrogant rich and the reactionary bigot. If we want peace it is not human nature we must alter: nor is it mob rule we should fear. It is our tradition and antiquated class opinion that must be revised. We have changed the rule of the lawyer for the rule of the editor, the spoken word for the printed word, only to find that the passion of the reader exceeds that of the assembly. A demagogue as speaker can at most reach a few thousand hearers while an emotional editor can make a nation insane.

We do not reach the heart of the situation, however, until we realize that protection lies not in written constitutions and binding traditions but in clear ideas. We see today through yesterday's glasses and not in its own light. We might as well expect that the ideals of the Middle Ages would suffice to build a modern state as to assume that the ideals of the last two centuries suffice to create a

<sup>1</sup>This article was written prior to the declaration of war.

present solution. Our great need is a self-enforcing peace—a group of principles that will work as successfully in world affairs as our constitution works in our internal affairs. We do not keep armies to maintain internal peace. It is not force but principle that keeps the Texan from destructive adventures. If he can be restrained by ideals that have no objective embodiment why cannot the same become true of Germany or Japan? What are these self-enforcing principles?

How can we build a supernational code that will be accepted as the moral code is accepted—a code that appeals to self-evident principles as does the Declaration of Independence. It will thus be the code of the school, the church and the press and be as unquestioned as is the multiplication table? The violations will thus become like theft or murder, the sporadic outbursts of individuals suffering from some abnormality. Where they happen we must educate, not punish. If we treat the violators of the super code as wronged and right the wrong before we strive to punish fewer violations of this code would happen than of the civil law. It is the failure to see how great principles would work in practice that creates the present confusion and thus makes for race antagonisms.

1. The first principle of a code of peace is that all decisions should be made by popular vote. The western world claim to be democratic and yet in no nation is democracy trusted. The result is that we have arbitrary decisions made by a class and often by a single person that the people are forced to carry out against their inclinations. Should declarations of war be delayed until ratified by popular vote they would not occur. Popular decisions appeal to human nature and it is the same the world over. It is class decisions that differ and these we must avoid by taking from every class its power to override popular decision.

2. The second principle is equally important. Home rule must accompany popular suffrage to prevent national majorities from oppressing minorities. The antagonisms of race, culture, religion and language could thus be avoided and at the same time the peculiar exigencies of localities would be provided for.

3. The third principle is the freedom of the seas. The ocean is a common heritage that should be in the control of no nation or group. This freedom must be so limited as to enable every nation



to protect its own shores. The recognized three mile limit will not enable this to be done. The controlled zone should be one hundred miles rather than three. Whatever the limit agreed upon, it alone should be the recognized area for warfare either offensive or defensive. If England extends her blockade of Germany one hundred miles from the German coast Germany should be allowed an equal area about England to establish her submarine blockade, and we should claim the same zone for our coast defense. But other parts of the ocean should be open to all on equal terms.

4. The fourth principle is that no nation should be allowed to enact export taxes on raw material. The natural advantages are so unequally distributed that a virtual slavery can be maintained if some world necessity were controlled by one nation or if a group of nations should conspire to control world commerce. Manufactured goods do not come in this class as they can be made anywhere with slight differences in cost.

5. The fifth principle demands a fair distribution of tropical areas among commercial nations. All nations need a tropical region to complement their home trade. Perhaps a third of foreign trade will be of this class. But there is ten times the quantity of tropical land to meet this condition. Cuba could supply the sugar of the world and either Java or Brazil its coffee and spices. Nations now monopolize land they will never use. When land hunger ceases a potent cause of war will be removed.

In regard to these canons of a super code, two questions arise. Would they, if adopted, suffice to uphold world peace and what means have we to encourage their adoption? It must be admitted that sporadic violations of the international code will occur just as lynching takes place within our country. It can, however, be questioned whether these violations would be of grave enough a character to necessitate intervention. All Americans recognize that lynching is a serious evil but most of them also think that the evils of lynching are less than the evils its suppression would impose. Not only would a standing army be necessary, but all our institutions would have to be altered to make such coercion possible. The League to Enforce Peace would find itself in the same position that the suppression of lynching would impose. Without it we should have some local disorder but with it would come a coercion involving far greater evils. Most disorder could be avoided by

the full application of the principle of home rule. What remains better be ignored than suppressed. The evolution of cordial relations may be a slow process but it is the only cure of local antagonism.

The world acceptance of any view can come in one of two ways—progress by influence and progress by struggle. We have had many attempts to bring world unity by force: all of them have failed. America is a great nation, but it is far from that supremacy that would ensure world domination. Should we strive to dictate we merely follow the example of other world empires, waste our resources in useless wars and then sink to the economic impotence that has been the fate of nations greedy for power. No nation can rule, no group of dogmas fit the whole world. Peace must come through the recognition of difference and through the growth of the spirit of toleration. This means progress by influence and example and not by struggle. The world needs not a dictator but some nation that lives up to the super standard and thus shows the possibility of a peaceful progress. Should America become such a people, avoiding the degradation that suspicion and hatred engender we would have a host of imitators. It is our misfortune if not our fault that we no longer hold the high position our fathers held of leading democratic movements. Our sympathies have overridden our reason. Only clear thinking can restore the lost. Fair dealing must replace the growing partiality that recent events have promoted.

The war spirit is an instilled attitude due to the wrong education and not to the natural emotions men inherit. Recent evolution has changed all else but has not yet brought our national ideals in harmony with new conditions. In public affairs we have yet a class rule even in the nations where democracy is nominally supreme. Until the middle and lower classes question the supremacy of the upper class our government will not be a model for world imitation. There is degeneration above to offset the uplift below. When this anomaly is removed peace, good will and coöperation will displace international entanglements.

Our ancestors were aggressive, but it was the aggression of a spontaneous vitality. No outlets for energy were available but in the crude conflicts that revealed personal superiority. Today intense activity has a dozen outlets all superior to that of war.

Achievement, wealth, science and social service drain off the energies and furnish the satisfaction that in cruder ages only combat gave. The effect of war on survival has also changed. Personal strife left the best and removed the incompetent. Gunpowder changed this survival value of war. The personal combat which the sword favored is displaced by long range fighting in which size and vigor are penalized. Corresponding to this change in evolutionary values is a change of motive. Our forebears fought because they loved fighting. They glorified in aggression. Today nations war not for a love of fighting, but for fear of invasion. It is interesting that every nation in the present war regards itself on the defensive. The appeal is to fear and not to glory. Our wars are not therefore a mark of super energy but of the growth of fear motives. And what is fear but degeneration?

This thought leads to the essence of our situation from a physiological viewpoint. We are all familiar with the action of toxins on our system, but we are less familiar with the blood content that increases vigor and thus makes us aggressive and dynamic. As our vitality increases we go out of ourselves in bolder ways and meet our fellows either in coöperation or conflict. Toxins in the blood destroy this aggressive hopefulness, replacing it with depression and fear. When the motive for war becomes fear instead of joyful aggression we may be sure its source is not with an element of normal human nature but with a species of degeneration that affects particular groups. Fear is a class phenomenon, which is transformed into a national attitude by the control which class has over public opinion. Good vigorous blood flowing in the veins of everyone might bring industrial evils through the personal aggression it excites but it would remove the degenerative fears that now overpower our upper class. We can thus cure war even if we cannot remove personal aggression. The one rests on a physical depression which may be avoided while the other has its seat in an imperfectly developed human nature. Heredity has its faults some of which it will be difficult to cure. But the insanity of war is not one of them.

The main thought of this paper is to make clear the difference between two plans to secure world peace: *Peace through force and peace without force*. Peace through victory must of necessity be an enforced peace. The vanquished must be ruled at our expense.

Peace without force means a yielding of the strong, not the submission of the weak. Wrongs must be righted before enforcing claims even though these claims be just. Can we yield to a nation in the wrong and yet promote world justice? This is the test of a peace without victory, of a world not coerced by force. It is not the insistence on our rights but on our neighbors' wrongs that makes for world betterment. Nations are often unruly, emotional and stubborn, but they need forgiveness more than punishment. In local affairs we may let the majority dictate, but liberty should be our guide in world decisions. Toleration is more moral than right, more luminous than truth, a sounder principle than justice and more divine than retribution. Without it no democracy can exist. Its basis is a peace that endures because it is loved. Battleships and machine guns cannot do what simpler forces do through the radiating influence of comradeship and good will.

### PAX AMERICANA

BY GEORGE W. KIRCHWEY, LL.D.,

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The League to Enforce Peace has sprung full-armed from the brain of Woodrow Wilson. While the immediate occasion of our entry into the world war is "the reckless and lawless submarine warfare" which the German government has been waging against American commerce and the lives of our citizens, its purpose is declared by the President to be

to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles.

And again, in the same noble utterance from which this declaration is taken, he says:

We shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own government, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.

Now it would be a mistake to interpret these declarations and, with them, all the other notable utterances of the address to the Congress, in a literal sense. The President is in expression distinctly a man of letters, and, as Matthew Arnold says of the Bible, "to understand that the language" employed "is fluid, passing and literary, not rigid, fixed and scientific, is the first step toward a right understanding." But it would be a greater mistake to dismiss the whole matter as "mere literature" and to assume that the war to which we were committed on the evening of April 2 has any but a historical connection with the defensive program launched on March 4. To say, as we well may, that the one is the germ of the other, does not limit the war that is, either in scope or purpose, to the war contemplated a month earlier. It is clear that the President's purpose enlarged portentously in the few weeks that intervened between the two events—not as the result of external happenings (there had been no new "overt act" of special significance; the German submarine warfare was neither better nor worse than it had been) but as the result of a new orientation of the President's mind. During that fateful month the long roll of wrongs suffered by us and by other neutral powers presented themselves no longer as individual acts of aggression, reluctantly committed under the lash of necessity, but as the unfolding of the hostile purpose of an autocratic military power waging "warfare against mankind." "Peace without victory" is now seen to be impossible. Our country must "exert all its power and employ all its resources to bring the government of the German empire to terms and end the war."

To what extent this growing purpose of the President has been shared by the American people, it would be vain to inquire. It had long been held by a small but influential section of the community, the majority of the "intellectuals," the professional classes and the leading newspapers. The great mass of the population, indifferent or reluctant from the beginning, has probably remained unconvinced to the end. But the end has come and it is safe to assume that the President's purpose is today the nation's purpose and that we are in the war not merely to protect our commerce and the lives of our citizens, but also to end the war which the German government is waging on mankind and, by coöperation with the governments now at war with Germany, to bring that government to terms.

In saying this I am not unmindful of the fact that the Congress,

clearly representing the weight of public opinion of the country at large, has accepted, not willed, the war, and that only a small minority of either House put the seal of its approval on the wider purpose declared by the President. A considerable number of the members who voted for war emphatically repudiated any motive but that of vindicating American right against German aggression and a large majority gave this as their only reason for so voting. But when the war-making power has once been placed in the President's hands it is certain that its course will be determined by his purpose and not by the reserves and hesitations of those who entrusted it to him. Indeed, as every reader of history knows, wars have a way of taking their own course without much respect for the intentions of those who set them in motion. If there is anyone, in or out of Congress, who still believes that Germany's submarine warfare is today the vital issue between the two countries and that the Imperial government could still by abandoning that warfare make peace with the United States, the course of events in Washington during the past two weeks<sup>1</sup> should undeceive him. We are not waging a separate warfare against Germany. Whether, as a people, we willed it or not, we are in the war and we are in it to the end. The only peace that we can now consider is a general peace that will make the world safe for democracy. For better or for worse, Woodrow Wilson has given the United States a new world policy.

If I am correct in this interpretation of the situation, two facts of momentous significance in their bearing on our national life and well-being as well as upon the future course of world-history come into view. The first is this: that for the first time in human history a great nation has gone to war, has pledged all its power and resources, has staked its very existence for a purely ideal end. As the President has truly said, "We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of the nation can make them." I say this is an unprecedented event, and for that reason bound to be misunderstood. We may well believe that the German government was taken by surprise, when her inspired organs cry out, "Never before has a nation gone to war without cause or for such a cause."

<sup>1</sup> Written in April, 1917.

In the second place, our entry into the war "for such a cause" marks the abandonment of our traditional and cherished policy of isolation and independence of world politics. Not at the close of the Civil War, not as the result of the Spanish War, but today has the United States become a part of the international system. No American will undervalue the advantages which that policy of proud isolation has conferred on humanity, or will see it pass wholly without regret. It has given security from foreign aggression to half a world. It has quarantined us against the fatal disease of militarism. It has made possible the growth to plenitude of power and prosperity of the greatest and most pacific democracy that the world has ever seen and has thus fitted it for the greater rôle which it has now assumed. But it has been a selfish policy, not less selfish—if less mischievous and hateful—than the predatory policy of the powers from whom it has kept us aloof. It has given us peace, but it has been the peace of Cain—"Am I my brother's keeper?" We have kept out of war ourselves, but we have done nothing to keep other nations out of war. We have generally observed justice in our dealings with other nations, but we have been unperturbed and undismayed by the spectacle of injustice under which other peoples have been made to suffer. We have kept ourselves free from entangling alliances, but we have made no effort to substitute for the fatal balance of power in Europe and the Orient a true concert of nations based on mutual respect, forbearance and good-will. In those fatal days when Europe was hastening to her doom, when Belgium was meeting her unmerited fate, we raised neither hand nor voice to stay the outrage. Alike in our commercial and in our foreign policy, we have claimed the advantages, while repudiating the responsibilities, of the coöperative commonwealth of the nations. Worst of all, this policy of aloofness has bred in us a certain complacency and unadventurousness which has led us to conceive of international peace as a negative, static condition, a kind of Nirvana, to be attained by folding the hands over the navel and keeping the eyes closed in contemplation, rather than as a high constructive policy to be achieved in danger by infinite effort and sacrifice.

At this point grave questions, sharp as the spear of Ithuriel, thrust themselves upon us. Is the issue between autocracy and democracy, between civilization and barbarism so clear in the present struggle that we could not refuse to take up the gage of battle?

Is war the only way, is it the best way, for our great, pacific democracy to champion the imperilled rights of mankind and strive for a better world order? On these questions, on which the sentiment of our people is so passionately divided, I express no opinion. They belong to a past which is already beginning to seem remote, and cannot be heard in the House of the Interpreter. But the Interpreter may surely be heard to say that if war is ever justifiable it is doubly justified when waged not for selfish ends but for the common weal, and that it is unworthy of a great people to withdraw itself in monkish isolation from a wretched world struggling in the twilight of the gods toward order, peace and justice. There is something that tells us that, for nations as for individuals, when great issues are at stake, it is better to live dangerously yet fearlessly than to live safely; that in a world in which lawless violence is rewarded with power, "Right forever on the scaffold, wrong forever on the throne," it is shameful to avoid the struggle and live at ease.

Thus far our commitment is only for the present war. The President, indeed, makes us partners in a "League of Honor," and declares that we shall fight "for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free." But may we not say that this is the language of aspiration, not a definite, political program to which we are asked to commit ourselves? What it points to is not a formal League of Nations pledged to maintain peace among themselves, such as is outlined in the Bryce plan in England or in the program of our own League to Enforce Peace, but "a partnership of opinion," "a concert of purpose and of action amongst the really free and self-governed peoples of the world." In so far as the purpose here adumbrated transcends the issues of the present war, it seems to call rather for a spiritual partnership of the democratic peoples than a league of democratic powers committed to joint action against an aggressor. To such a "league of honor" we should be glad to commit ourselves even though it should in some fateful hour again offer us the dreadful choice of war to vindicate the principles of peace and justice against selfish and autocratic power. Further than this we are not likely to go until true democracy rules the nations from the Baltic to the Golden Horn.

Limiting our view, then, to the present war and its issues, what



is the service that the high and disinterested purpose which we have avowed demands of us?

It requires, in the first place, that we shall wage the war nobly, generously and without bitterness. As the President has said, "We act without animus, not in enmity toward a people or with the desire to bring any injury or disadvantage upon them." As we are without fear, we can afford to leave the foul and corroding passion of hate to "the lesser breeds without the law" or to those who fight blindly and madly for national existence.

In the second place, as we fight only for the security of the nations against lawless aggression, our fight will be over as soon as that security has been attained, whether by crushing victory or by the voluntary submission of the enemy. We have not gone to war to serve the purposes of the Allies save in so far as those purposes are ours. It would be a kind of madness as well as a betrayal of our democracy for our government to become a full partner of the Entente Allies and bind itself not to make a separate peace. There is no danger that the President will propose or that the Senate would ratify such an arrangement.

In the third place, our government should not only withdraw from the war but should use all its influence to bring the war to a conclusion as soon as, in its opinion, a just and durable peace can be secured. We are fighting for a world-peace, not for a world-truce, and we cannot lend ourselves to terms of settlement which, because of their harsh or oppressive character, will have in them the seeds of future wars. It is clear that our purpose to bring peace and security to the world will not be achieved until Belgium, France and Serbia have been completely emancipated from foreign dominion and restored to the condition in which they were before the storm of war was let loose on them, but is anyone bold enough to assert that we should fight for the dismemberment of Austria-Hungary, or to establish the Russians in Constantinople, or to place Albania under the heel of Italy, or to force a democratic régime on the Central Empires? It is not thus that the incubus of autocratic militarism that now rests upon the world can be destroyed.

In the fourth place, we should insist now, as the price of our active participation in the general war, that the Allies shall bind themselves to join with us in the creation of a true society of nations, from which no power, small or great, whether now friendly or hostile,

shall be excluded, and which shall be based on the general acceptance of the "Declaration of the Rights and Duties of Nations" adopted by the American Institute of International Law, January 6, 1916, and of the principles of peaceful adjustment and judicial settlement of international disputes, as set forth in the "Recommendations of Havana," adopted by the same body of international jurists, January 22, 1917. What may well be regarded as a minimum program on which we shall insist is:

1. The convocation of a third Hague Conference immediately after the close of the war—the conference to assume a permanent character, meeting at regular, stated periods, under general regulations having the force of international law.
2. The formation of a judicial union of the nations by a convention pledging the good faith of each of them to submit their justiciable disputes to a permanent court of the union and to submit to the findings of such court.
3. The creation of an international council of conciliation to which the nations shall bind themselves to submit such questions of a non-justiciable character as may not have been settled by negotiation.

Whether the nations shall go further and establish a League to Enforce Peace by military power either among themselves or against the insolent pretensions of aggressive powers not of their number, must, I conceive, be left to the future to determine. Personally I do not believe that the world is yet ripe for such a consummation.

And, lastly, we must wage the war for democracy and the security of peace and justice at home as well as abroad. For the enemy, the selfish spirit of autocracy that lives by force and aggression is here in our midst as well as in Berlin, Vienna and Constantinople. As Galsworthy has recently reminded us, "The Prussian junker is but a specially favored variety of a well-marked type that grows in every land. And the business of other men is to keep circumstances from being favorable to its development and ascendancy." But this statement, true as it is, is not the full measure of the danger that menaces our democracy. A latent junker sleeps in most of us, and war is the congenial climate in which he thrives and, in an evil hour, takes command over the better, the more humane and reasonable, the more democratic part of us. We enter upon the war with the loftiest aims that ever inspired a nation in arms. The spirit of nationalism which makes us a united people and therefore capable both of feeling deeply and of realizing nobly those aims, is at the same time the opportunity of the autocrat, the jingo, of all

those incapable of fighting for an ideal loftier than self-interest or national power or the glory of conquest. It is against these in our own land, in our own blood—that we must strive in order that we may preserve and bring to prevail America's unique contribution to the welfare of the world.

And here we reach the height of the great argument. I have spoken of the high spirit of disinterestedness that has carried us into the war. But that should not surprise us nor anyone, friend or enemy, that knows us. As a recent writer has said:

The truth is that the United States is the only high-minded Power left in the world. It is the only strong nation that has not entered on a career of imperial conquest, and does not want to enter on it. If the nations of Europe had entertained purposes as disinterested as those of the United States they would not now be engaged in this butchery. There is in America little of that spirit of selfish aggression which lies at the heart of militarism. Here alone exists a broad basis for "a new passionate sense of brotherhood, and a new scale of human values." We have a deep abhorrence of war for war's sake; we are not enamored of glamour or glory. We have a strong faith in the principle of self-government. We do not care to dominate alien peoples, white or colored; we do not aspire to be the Romans of tomorrow or the "masters of the world." The idealism of Americans centers in the future of America, wherein we hope to work out those principles of liberty and democracy to which we are committed. . . . This political idealism, this strain of pacifism, this abstinence from aggression and desire to be left alone to work out our own destiny, has been manifest from the birth of the republic. We have not always followed our light, but we have never been utterly faithless to it.<sup>1</sup>

When such a people goes to war the act presents itself either as a great betrayal or as a sublime fulfilment, and the nations today and history tomorrow—not by our words but by our deeds—will judge us. What will be required of us is not victory—though for victory we must mightily strive—but fidelity to the principles that have made us a name among peoples. Victory achieved through the defeat of those principles will itself be defeat, however great the material triumph.

Shall we be able to keep our ideals unimpaired in this new old-world—this world of storm and stress, of militant wrong and triumphant power—in which we have now elected to play our part? To make war only when we must and then not for selfish ends but only for the common weal? To keep and strengthen justice and democracy at home even while we strive for democracy and justice abroad? To dream no dream of empire, to see no alluring vision of

<sup>1</sup> Roland Hugins, *The Possible Peace*, New York, 1916.

power but the vision of a world made safe for democracy and secured against outrage by the united will of enfranchised peoples? I do not know. But this I know, that the days of our cloistered virtue are well lost and that we cannot refuse the great adventure even though we gain the whole world and lose our own soul. And this, too, I know, that the greatest disaster that could befall mankind is not the sum of human misery which such a war as this brings in its train, nor yet the shameful legacy of hate and fear and mistrust that it leaves behind it, but the loss to humanity of those ideals of democracy, justice and peace which our Republic has represented in an evil world. And this, too, I know, that it rests wholly with us to keep our democracy true to the line marked out for it in Washington's farewell address:

Observe good faith and justice toward all nations; cultivate peace and harmony with all. . . . It will be worthy of a free, enlightened and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence.

## THE INTERNATIONAL RIGHT AMERICA MUST CHAMPION

BY ROLAND G. USHER, PH.D.,

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The question of America's obligation to defend international right raises no less significant an issue than the cause of the war between the United States and Germany and its justifiability. It is a question either of the utmost simplicity or one of almost insoluble complexity, a subject upon which a difference of opinion is hardly conceivable or one upon which agreement becomes almost improbable. While I do not labor under the delusion that many people believe this question to be simple, I know that many people do regard it as relatively easy to decide and that they reach a decision in the light of what I believe to be prejudgments, preconceptions, and even prejudices. Our chief obligation in the study of international right and of the measures necessary to be taken by the United States in its defense is to study it from the point of view of American interests.

Our conclusion, indeed, will be no better than our premises are valid. If the vital element in our supposed judgment be a profound dislike for Germany, an unspoken and unconscious attachment for France, horror over the invasion of Belgium or the sinking of the *Lusitania*, we shall project into the issue of international right the question of the right and wrong of the war itself, of the validity of Pan-Germanism, of Schrecklichkeit. Immediate and positive conclusions we shall produce but conclusions not to be confused with logic, evidence and history. With such impulses, the immense majority in this country seem to me to approach the question of America's obligation to defend international right, and upon such grounds they affirm or deny the justifiability of our entrance into the war. America's obligation to beat Germany, America's obligation to express horror for Belgium and the *Lusitania*, America's obligation to preserve a technical neutrality by exporting no more munitions, America's obligation to compel England as well as Germany to observe international law—none of these proceeds from

a real investigation of America's obligation as the defender of international right. Each and all assume the conclusion as the premise. They prejudge the issue on the basis of other circumstances than those of law, history and diplomacy. I trust that I shall escape the designation of pro-German as the result of these statements. I once wrote a book not too well liked in Germany and have advocated constantly coöperation between the United States and Great Britain, which I hope is already a reality, but I have sought always to advance definite reasons based upon a study of American history, American democracy and American economic interests.

4+ We must see the war in the light of American interests, not define American interests in terms of the European struggle, if we are to understand the true significance of our entry into the conflict.

From another point of view a large body of well-intentioned, but I am afraid zealously misdirected people, prejudge the issue. Theoretically the internationalist is a cosmopolite, a citizen of the world at large. In his vocabulary there is no such word as patriotism; for him nationality has no meaning; he is the true man without a country. I will yield to no man in the firmness of my conviction of the blessings of peace and of the horrors of war; I believe strongly that international organization is desirable and that international tribunals and courts can achieve at present valuable results, but I am not yet ready to place peace before patriotism, nor an international court before my devotion to the creed of Washington and of Lincoln, to those intangible impulses which beat within me at the sight of our flag on the docks at Liverpool in August, 1914. America's obligation must be couched for me in terms of patriotism or it has for me no meaning, no obligation. We must attain internationalism and peace through patriotism and nationality and not at their expense.

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The question, indeed, of America's obligation as the defender of international right is to me less one of evidence than of logic, less one of immutable facts than of principles. What we mean by international right depends upon our conception of international law which itself must be the logical result of our conception of the international world. That in turn involves our notion of sovereignty and dependency, which can themselves be made concrete and practical only by discoverable tests whereby the reality of sovereignty may be ascertained in particular cases. Our notion of obligation

necessarily depends upon our conception of ethics, of morality, of crowd psychology, upon our opinions regarding the justifiability of war, the necessity of peace, and the character of international organization needed to achieve it. Nor shall we reach any understandable conclusion without delving deep into the relation between individualist ethics and the ethics of nations, without in some way defining ethics itself and its relation to history, diplomacy and law. This question is no hard and fast legal abstraction consisting merely of the application of admitted legal premises to a definite ascertainable set of facts, but an issue whose terms are as yet vehemently discussed and which is itself partly historical, partly diplomatic, partly juristic, partly ethical; an issue as broad as the field of human learning, as deep as the past of the race, as significant as its future.

The true difficulty of the question seems to lie in the disagreement of statesmen, diplomats, historians and lawyers in different nations, and in the same nation, upon the facts which underlie the situation and upon the meaning and validity of its most fundamental postulates. Diplomats and statesmen on the one hand and international lawyers and textbook writers on the other disagree widely upon no less significant and basic conceptions than the character, nature and scope of international law. The former deny that in a proper sense of the words there is any such thing. The latter more vehemently affirm its existence. The definite precepts of such a law naturally emerge from the hands of the two schools in very different condition, while the interpretation and application of the few precepts apparently acceptable to both have caused wide divergence of opinion.

The great powers of Europe apparently admit the existence of a certain international code in theory, but seem to proceed in practice upon a widely different code. International rights are in controversy between the belligerents themselves, and neutrals are not entirely agreed as to what they are. Belligerents disagree with neutrals; some with all neutrals, others with most. Great Britain and France, our new Allies, to say nothing of Germany, dissent from basic propositions upheld by the United States and declare their version to be demonstrable by our own diplomatic practice and from the decision of our own admiralty courts. The controversy, indeed, ranges over so wide a field and the points controverted are so exceedingly

fundamental and the controversy about them is so very general as to demonstrate beyond all peradventure the fact that, if there is any truth about this subject, men are not agreed as to what it is.

The controversialists not unnaturally take widely different views of history and of diplomacy. The American interpretation of rights on the high seas which the President has championed rests quite obviously upon the assumption that the seas were free in time of peace and were free in time of war until the German submarine warfare closed them. The Germans retort that this is the English view, that the freedom of the seas is a fiction and neither exists nor has existed in time of peace nor at any other time. Merely because the British have seen fit to allow most nations to use the seas with considerable freedom does not in the least demonstrate that those nations possess privileges guaranteed by international law. They receive them from Great Britain and do not retain them longer than Great Britain is willing to concede them. The facts of the war prove to the Germans that the British themselves closed the seas, that their action was unwarrantable, and that the Germans are protesting against it as much in our interest as in their own. It will be obvious that the question of fact whether or not the seas were free at any time is vital to a decision as to their present condition and the responsibility of Germany in regard to it, and to the obligation of the United States as a defender of international right. The issue here is not one of law but one of history and comprehends not merely the history of the last three years but of the last three centuries.

But we shall be blind if we deny that what men believe to be facts is as potent as the truth itself in governing men's actions. The popular attitude and decision upon these great issues is one of vital consequence which must not be forgotten in an inquiry of this sort. Part of our task is to learn whether or not the popular decision proceeds from sentiment, prejudice, preconception, or self-interest. We must seek to understand it because it may not be within our power to control it. It seems to be true that the popular mind in the United States accepts practically without hesitation or reservation the international law espoused by the more radical theorists as a law of superior obligation which no nation may break without incurring a penalty which the nation injured has a right to exact and which is expressly sanctioned by the law itself. While sovereignty is in the popular mind a vague conception, there is no real hesitancy



in admitting that Great Britain, Turkey and Denmark are all sovereign nations, all equally sovereign, entitled to equal rights under the international code. There is again a general feeling that the defense of weak and small nations must be led by the United States at all costs, because we are better situated to defend the integrity of international law than are the nations of Europe. Of our power to achieve something of moment if we choose, the popular mind has not the slightest doubt. It thinks of the United States today apparently as the world's money power and, therefore, indispensable and all important, as the world's chief industrial nation, as the world's richest nation. Our invulnerability, our military prowess, our naval power, the public accepts as beyond dispute.

This view of the situation does not seem to me sustained by the more conservative and accurate study of history, diplomacy and jurisprudence, if the men whose reputations as scholars were great before the war broke out are to be depended upon as authorities. It seems to me further to be widely at variance with what the great powers of Europe find practicable to observe or possible to concede. These seem to consider the international community to be composed, not of some fifty odd nations, but of the six European powers and Japan, who are not themselves sovereign but very nearly so. The other so called nations are either actually sovereign like the United States and the South American countries, but not integral parts of the international fabric, or they are semi-dependent and dependent nations which are ruled by the great powers in conference. International law as observed and practiced consists of the privileges which the six European powers mutually extend each other and of the obligations which they recognize as binding between themselves, and, in addition, of all such privileges and immunities as they voluntarily extend the other nations and of the practices and concessions which they exact from them. It is above all a voluntary code, exceedingly flexible, brief, practical, and not in the least regarded as a law of superior obligation so far as the six powers are concerned. It is obligatory definitely enough upon the semi-dependent and dependent states.

This international system furthermore is primarily a law of peace in the sense of a law binding so long as the six powers are at peace with each other. A war between them suspends its operation and brings into prominence a very different set of privileges and obli-

gations, much more elastic, much less charitable. The great powers definitely maintain that the circumstances of war do alter international relationships, obligations, duties, rights and privileges for all members of the international community, whether belligerents or not. The practical basis of this conception lies in the difficulty and practical impossibility of assuring each other in time of war the courtesies and concessions common during peace, and of insuring neutral nations in practice the privileges which the powers are entirely willing to yield them in time of peace. Privileges in international law are treated by the great powers at all times not as questions of right or of law but as questions of feasibility and expediency.

We must as scholars be clear upon the point that if we have gone to war with Germany to achieve recognition of certain technical rights at sea, of certain technical rules about visit and search, to obtain certain guarantees for the protection of American lives on the high seas, or even to maintain a certain view of international law which has continually found expression in our diplomatic papers, we have gone to the assistance of powers who decline quite as firmly as Germany to accept these general principles and their specific application to their own relations with the United States. We shall be apparently accepting the system itself and be losing what we are fighting to win. Let us as scholars again acknowledge what most European diplomats believe to be true.

The result of this system is to define America's rights and America's obligations in the terms of European interests, and to place the decision in the hands of the six European powers acting in concert. We have in practice enjoyed such privileges as they have voluntarily yielded us. We have, with objections more or less violent and with protestations more or less loud, been compelled to accept their version of our obligations toward them. Some points they have not felt it worth while to insist upon, others they have demanded and secured. Some concessions we have felt worth war, but we have usually failed to make our point. Nevertheless in time of peace we have had little to complain of. They have sought to be magnanimous; they have even succeeded in being generous. The Monroe Doctrine they have never explicitly challenged and its general spirit they have voluntarily observed, though we have never at any time been in a position to compel its observance. Specific rights at sea, such as are at present in question, we have

commonly enjoyed though we have never been in a position to exact them. Our specific difficulties are merely the concrete evidence of the fact that we are not represented effectively in the councils in which the real decisions are made and that we are not yet sufficiently indispensable as an economic factor of the world, not even with all the changes the war has produced, to make concessions vital to us vital for them to grant.

If we entered the war against Germany purely on technical grounds, we have stultified ourselves. But we did nothing of the kind. We entered the war to change the system itself which has produced the technicalities and disabilities from which we have suffered. We have entered the war against the power which proposes to continue the old order, the old logic, the old ethics and the old diplomacy, and we have joined hands with those powers who have striven in arms for three years to create a new international order based not upon autocracy but upon democracy, upon the rule of armies and of diplomats by the people instead of by kings. We have entered the war in a fight for principles not for technicalities or details.

The international right America must champion is the right to be consulted, the right to be considered in deciding the basic and fundamental elements in the international problem, the right to insist that the international horizon shall be so broadened as to include not only the affairs of Europe but those of America, Africa and Asia. We are insisting that the definition of international right shall be international in scope and international in purpose; that it shall attempt to advance the interests of all nations so far as is mutually advantageous. It will define international interests in general in terms not exclusively European, nor governed by considerations based upon the European balance of power and the exigencies of European national policies. The principle itself is the vital thing; that the United States is a necessary element of the international community to be consulted in all affairs of significance. This fact we must maintain and this fact we must defend.

The immediate obligation of the United States then is to achieve something practical, effective, immediate toward securing some admission by the great powers that the affairs of the world will no longer be decided primarily on the basis of European politics. But we shall be entirely unwise to insist upon the recognition of this

principle in any particular way or upon the formation of any particular type of new international organization to replace the old. To achieve the theoretical end at least of the present system, to unmask it and show it in all the nakedness of its fictitious internationalism will be an achievement of extraordinary moment. With that, at present, the United States may well rest satisfied. To insist that the six great powers shall abdicate in some formal way is to demand that they humiliate themselves, recognize publicly that they have been living in sin; publicly impose a stain upon their honor. To expect again to secure the recognition by the great powers of the equality of all the apparently independent states of the present world is to ask a change so sweeping that it has no chance of acceptance, to sacrifice a great scheme by attaching impossible conditions. What kind of an international council is created after the war, what type of court, how much of the theorists' code of international law will be conceded to be of practical application, are all matters of relative indifference. We should be more than satisfied with the explicit pledge of a new order given by the British Premier at the American luncheon in London on April 12, 1917.

I also say that I can see more in the knowledge that America is going to win a right to be at the conference table when the terms of peace are discussed. That conference will settle the destiny of nations and the course of human life for God knows how many ages. It would have been a tragedy, a tragedy for mankind, if America had not been there and there with all her influence and her power.<sup>1</sup>

But it is essential that the foundations of the new order should be laid in democracy and the rule of the people, in humanity, justice and right, as those great words have been understood by centuries of Christians. For the cause of the German people there is much to be said; their difficulties and troubles during the régime of the old diplomacy were certainly many and grievous. But the United States cannot admit that the international balance can today be adjusted by the continuation of the old disregard of morality and of law or accept the dictum that patriotism justifies brutal and inhuman acts and policies. A certain clearing of the ground upon which the new order is to be built has become essential. Autocracy, secret diplomacy, *Schrecklichkeit*, cumber the new site and must be removed. To assist in that task we are now pledged that the work of America in the defense of international right may be effective and

<sup>1</sup> Lloyd George, April 12, 1917.

permanent. For the future, for our posterity, for that greater majority of Americans yet to be born, scarcely any work could be more essential, more glorious.

But the only effective guarantee of a new order will be the prompt, efficient, decisive participation of the United States in the world conflict. We are now to demonstrate our equality, to prove our title to consideration as a sovereign among sovereigns. International status, as the great powers have observed it, has depended primarily on the ability of a nation to cast a decisive influence into the international scale. That we would some day be capable of far-reaching influence was appreciated in 1823; but that the new world is now able to redress the balance of the old has not yet been conceded in Europe. In Germany they sneer and dare us to do our worst, confident in the tradition of our unpreparedness, isolation, impotence; in Great Britain and France, they believe and trust and hope but with the fear that perhaps as yet we may not be able to demonstrate that we are capable of that type of sustained organized effort expected of first-class powers. Upon our decisive influence, upon the war itself depends our international status in the immediate future; upon the demonstration of our equality of status depends the creation of a new international order truly international and non-European, for the new state must contain at least one non-European power whose efficiency and power is beyond dispute equal to that of any of the older powers—the United States must achieve that the new internationalism may be realized.

What then becomes the bounden duty of the United States in the defense of international right? The prompt and successful prosecution of the war, efficient and decisive aid to the Allies, achieved by a great army based upon universal service, by a new merchant marine of small wooden ships, by an extension of the munitions industry, by the mobilization of our agricultural and industrial resources. America's defense of international right is no longer an academic question of law, history and diplomacy. The days of the diplomat are past, the day of the soldier, of the sailor, of the skilled machinist, of the farmer has come. We have followed the counsel of Washington. We have raised a standard to which the wise and honest can repair.

## NEUTRAL RIGHTS UPON THE SEAS

BY FREDERIC R. COUDERT,  
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Mankind is ever prone to be the victim of phrases, and as the march of democracy progresses and the rule of the newspaper is substituted in the non-Teutonic world for the rule of the sword, men ever grow more susceptible to word formulas.

Since the beginning of this war much has been said about the "Freedom of the Seas." No one has defined the term with precision and nearly everybody seems to have been content to discuss it without a definition. It is not a technical phrase. It has never been defined either in law or in politics, and like all phrases relating to freedom, the latitude of interpretation is a wide one. It appears to have conjured up different images at different epochs. When Grotius wrote *Mare Liberum* the freedom which he contemplated was the freedom from the dominion of the Portuguese who claimed to exercise sovereignty over great portions of the ocean. The Portuguese claim died a natural death with the evanescence of Portuguese power. The declaration of Alexander VI dividing the world between Spain and Portugal now seems grotesque, but had its value in lessening conflicts on land and sea. Like the Portuguese claims it has passed away as one of the curios of history.

In the eighteenth century, restrictive navigation laws preventing trade by foreigners with Spanish, French or English colonies were the subject of considerable international discussion. These laws then seemed to men to interfere with the natural course of foreign trade and the term "Freedom of the Seas" as then used must be read in relation to them. With the American Revolution and the destruction of the domination of Spain in South America these old navigation laws disappeared, and possess today mere historic interest. During the War of 1812 the American slogan was *free trade and sailors' rights*; free trade not meaning absence of a protective tariff, but rather freedom of the neutrals to trade upon the high seas subject only to the usual exercise of belligerent rights and unmolested by visitation of their ships for the removal of alleged British subjects.

The open sea is now free to the vessels of all nations. In times of peace, Germany, which now clamors so loudly for the freedom of the seas, found markets the world over and successfully competed with Great Britain and France in every port of the world, building up in an incredibly short time a great merchant fleet.

The phrase in the minds of international lawyers really means but one thing. In time of war it has always been recognized that belligerents possess certain rights to interfere with neutral goods and neutral ships upon the high seas. These rights, with the lapse of time, and with the growth of nations, became more or less definitely fixed. It was in defense of neutral rights that the War of 1812 was fought and it was in defense of neutral rights that the series of reprisals between France and the United States from 1797 to 1800 took place.

The general principles of the freedom of the seas used in this, the only accurate sense in which it can be used, are simple. The belligerent has the right to blockade all the ports of his enemy, thus cutting off egress and ingress. Such blockade must not be a mere pretext enabling him occasionally to seize vessels on the high seas, but must be really effective. This is a rule of common sense, as a paper blockade would be vexatious and indecisive. Sea commerce is necessary to the life of enemy countries. Nations possessing sea power would be at a great disadvantage were it not possible to use this power to cut off the trade of those nations having preponderant military power. Thus, in addition to blockade, there is the law of contraband. A belligerent may visit and search neutral ships in order to discover whether they are bringing to the enemy materials useful or available for war purposes. The principle was ever simple; the application difficult, for there was no general consensus as to the list of articles constituting contraband. Early treaties between France, Great Britain, Spain and Holland endeavored, but always unsatisfactorily, to agree upon the list; provisions were sometimes included; gun powder, guns and things immediately useful in war were always included. Lists rapidly became obsolete with changes in warfare and there being no international body capable of fixing definitely such list, each nation declared contraband that which it wished to prevent being carried to the enemy. The neutrals naturally opposed the extension of the list, the bellig-

erent as naturally desired to extend it. This conflict in interests is inevitable.

The Declaration of London endeavored to fix a happy solution. The list contained the three classes:

1. Those things useful in war.
2. Things useful in time of both peace and war, and
3. Things only useful for peaceful purposes.

The declaration was not adopted by the nations and Germany and the Entente Powers have kept adding to their list of contraband until almost every article is included. The distinction between absolute and conditional contraband has, owing to the militarization of total populations, broken down in practice. Old principles have been applied to new situations, and the result has been admittedly vexatious to the neutrals. These changes in conditions have justified the application of the old principles to cases in which they would formerly have been inapplicable. It would have been absurd to have allowed goods to pass freely from Holland or Scandinavia into Germany on the ground that these ports were thereby blockaded. To have so held would have been a practical abrogation of the right of blockade. Precedent was found in the practices employed by the United States during the Civil War and sanctioned by the supreme court notably in the cases of *The Springbok*, *The Peterhoff* and others.

Of late years there has been a movement to establish freedom of private property on the high seas and to prescribe that enemy property shall no longer be the subject of destruction. None of these plans, however, contemplates the abolition of blockade and contraband; hence, they are really of little more than academic value or interest. While the belligerents may extend contraband lists at will, it is useless to discuss the immunity of private property on the high seas.

Recent events have demonstrated how little value attaches to private property in districts occupied by an enemy. Aside from intentional and lawless destruction, requisitions made upon the hapless inhabitants quickly destroy all value that their property may have. The inhabitants of northern France and Belgium may still have a theoretical right to the lands upon which they live, but this right is little more than academic; they have been ruthlessly



cut off from all means of livelihood, and in many cases they themselves have been deported.

Until the nations can reach some definite agreement, like the Declaration of London, and provide some force back of it, the conceptions of blockade and contraband will seriously interfere, as they have always done, with neutral rights. There will always be irreconcilable differences of opinion based upon divergence of interest between belligerent and neutral.

There are, however, certain other limitations upon even the freedom of the seas as understood by the law of nations. These limitations are of a humanitarian character, and up to the present conflict have been very generally respected. The destruction of ships without preliminary visit and search is without basis in law and can have no justification. The plea of a nation employing it that it is battling for the freedom of the seas is not devoid of elements of humor.

But what of the future? What does the President of the United States mean when he speaks of the "Freedom of the Seas"? Is it an almost impossible iridescent dream, or may something be done so to safeguard future rights of neutrals that the seas will be open to trade free from blockade and contraband? This will depend upon whether some sort of world reorganization takes place. So long as the existing situation continues it will be impossible to obtain satisfactory guarantees for neutrals, nor am I sure that this is desirable. Modern invention has brought the nations of the world so close together that none of them can afford to remain indifferent to any great conflict; such conflict must now too deeply affect their interests to permit of an attitude of aloofness.

The present rules of the sea in times of war are derivatives from the existing system of independent nations, each theoretically equal and subject to no higher law. I believe this system to be in gradual process of disappearance. Some great combination of the nations will take place, and provision will be made for declaring outlaw the nations violating the world's peace. In that event, there will be a trusteeship of sea power, and the enlightened nations of the world forming some combination will deal with the offending nation as the police deal with the burglar. No question of belligerent rights can then arise.

This day may not be so far distant as we now think, for the world war is largely changing the mental outlook of vast masses

of people. America will doubtless wish to take part in some great movement which, by creating a better world system, will eliminate the old differences and dangers to the peaceful neutral and will lead to a new "Freedom of the Seas," guaranteed not by phrases without force, but by the trusteeship of the sea power of the great enlightened democracies of the future.

It is, perhaps, such a "Freedom of the Seas" that the President of the United States had in his mind in his eloquent address to the Senate on a League of Peace designed to create a new and a better international condition.

The United States will be forced by circumstances out of its supposed isolation and must take active part with the great powers of Europe in establishing the world's destiny. Some arrangement with the democracies of France, Great Britain and, perhaps, Russia for the settlement of the innumerable international disputes growing out of trade rivalries and undeveloped territory must be made. This is the work of the immediate future. Some trusteeship of land and sea power, for the promotion of peaceful relations among the nations of the world, must ultimately be found, as existing law does not and cannot furnish the basis for the settlement of future controversies; such a combination or super-alliance must busy itself with the formulation of a policy. This policy must include the recognition of the duties as well as the rights involved in the *Monroe Doctrine*, and proper provision for the maintenance of the *Open Door* in the East and elsewhere among economically and politically inferior people. The attempt made by European powers after 1815, which resulted so unfortunately in the Holy Alliance, must be renewed on a broader, sounder basis. In such an arrangement, America must willingly, and for the protection of its own interests, play a great, if not a predominant, part.

Freedom of the seas has been talked about by a great many people, mainly by the people who apologized for making the land free for spoliation and assassination. The gentle Prussians who so amiably shoot civilians right and left in France and Belgium and who deport women are quite given to talking of the freedom of the seas and of arraigining so-called British navalism. Of course, these arguments do not carry great weight. What the German advocates really object to is the great naval power of Great Britain, and they will object still more when our own naval power, pretty effec-

tive in its own way, is added, and takes upon itself the task of restraining a great war-mad autocracy which, if left free on the sea to obtain needful supplies from the neutral world, would after half a century of preparation have been able to exterminate all the populations that they did not like and thus Prussianize the world. That is what they meant by a free sea—one upon which their plans cannot be frustrated.

And so, indeed, they might have carried out to completion their procedure in France and elsewhere in the world if their idea of a free sea, a sea on which maritime powers like Great Britain and the United States could not possibly act effectively, had been the law. Fortunately, it was not the law. Men have decreed a long time since that war might be carried on upon the sea as upon the land, and so, indeed, it has been; and if there be any real Americans remaining in the United States to whom the spectre of British navalism, so fostered by the German propaganda, means anything, I would like them to judge the matter intelligently, not from the standpoint of prize court decisions, but rather from the standpoint of history.

On two great occasions in the last hundred years or so, British navalism has saved the continent of Europe. In the first place from the domination of Napoleon. In many respects I sympathize with the aspirations with which Napoleon began on his career, and we must not forget that wherever the eagles went he carried his great code. But, as Seeley says, after 1807 the aspirations of the revolution were satisfied in France, they had run their natural limit in Europe, and Napoleon's ambitions had become personal and selfish. Then it was that British navalism prevented a despotism that might have crushed out national life in Europe. Again, history seemingly repeating itself, it was the great British fleet—I happened to see it in the Channel, I remember, in late July, 1914, drawn up there as it were, almost by a miraculous accident—that saved England and, in fact, civilization, from the monster system that so ruthlessly destroyed Serbia, Montenegro and Belgium, and is in the process of blighting and destroying everything that the human mind and human soul has heretofore held dear.

Now, as to the future. If it may be said that it is not safe to leave the great sea power in the hands of one nation, even though history indicates that that nation on the whole has carried out its trusteeship well and in accordance with freedom and the betterment

of mankind, then indeed we must change the whole world system. Instead of nations being isolated units, we will have to have a combination of nations.

I have advocated from the beginning of the war, although I am in no degree an "Anglomaniac," an understanding—call it a combination if you wish—it is not necessary or advisable to enter into a formal alliance—between the English-speaking democracies of the world who have such similar institutions and a common language, although the latter is sometimes a disadvantage, because they can read each other's newspapers which often creates irritation—people who look to the same common law while their lawyers talk in the jargon of Blackstone and have the same fundamental postulates of liberty, right and decency. Today this is about to be realized, although a year or two ago it might have seemed an almost hopeless aspiration.

Today the English-speaking commonwealths and the French republics drawing to themselves the other democracies of the world, just as the magnet attracts the iron filings, must stand together and may in time create something in the nature, to use a much-abused and perhaps misleading term, of a super-state, which super-state can act as the interpreter of those common aspirations for peace and justice of the world; and then the freedom of the sea will mean that kind of freedom which we enjoy in the streets of Philadelphia and in the streets of New York, that freedom which a regulated community maintains because the police are there to repress by law, without hatred but with the maximum of celerity and effectiveness, those who would break the law; the great Anglo-French-American combination, commanding the spiritual and material forces of those nations, would insure a freedom of the sea which would mean a free sea for all who wished to travel and trade thereon, but when any nation attempted to interfere with the orderly life of other communities, it would have to reckon with that great democratic force, which would try it and finding it wanting would suppress not its freedom, but its lawlessness.

That may be something of a prophecy, but today we have ceased from a miserable, pusillanimous neutrality that seemed immoral and that was rapidly becoming dangerous for our future; we have stepped out from a selfish isolation into coöperation with the great progressive forces of the world; there is now every reason to believe that we will tend to realize the dream of old-time idealists

and philosophers and create a new order out of which minor incidents, such as the freedom of the seas, will naturally flow to aid mankind in his efforts for the only real peace, that which is based upon law and justice.

When we abandoned neutrality, we struck a great blow for the existence of law, not any particular law, but all law. We did not haggle about rules that lawyers had made as to ultimate destination and continuous voyage; the lawyers could wrangle about that forever. In the Civil War we took one view because it was to our interest and we sustained it by the action of lawyers before an arbitration board; we might do it again if proper counsel was retained. We recently took another view as to our relations as neutrals because our interest dictated something different. We did not do it with any real heart in it. We did not mean to fight over it. There was no necessity for doing so. We distinguished between mere rights that could be paid for in money and adjusted by a court, and the sacred rights of human life; those rights which ordinary people call "God-given rights" and scientists call by some other name but which means exactly the same thing.

## FREEDOM OF THE SEAS<sup>1</sup>

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In this discussion "the freedom of the seas" will be considered in relation to the general subject of "America's obligations as the defender of international right," and will be treated as relating to the obligations of the United States, while a neutral in the present war, to defend international right in regard to the freedom of the seas.

It should be noted in passing that although the phrase "freedom of the seas" has played a prominent part in discussions relating to the essential conditions for an enduring peace, there has been no controversy in recent years about the freedom of the seas in time of peace. Under peace conditions in modern times all the waters of the earth, which, by reason of their geographical situation, can properly be regarded as parts of the high seas, have been free to

<sup>1</sup> Prepared before the United States entered the war.

the mercantile marine of all nations without discrimination or preference, and without restraint except against acts which, by universal custom and consent, are prohibited as unlawful.

It is a curious circumstance that the phrase "the freedom of the seas in time of war" is self-contradictory. In time of war the almost unlimited freedom of the seas enjoyed in time of peace is subjected to certain theoretically well-defined and universally recognized limitations and restraints. In so far as the vessels of belligerents are concerned, the freedom of the seas ceases to be a question of the right of law and becomes a question of the right of the strongest, subject always to the overruling restraint of the principles of humanity and civilization; and in so far as neutrals are concerned, their rights under peace conditions are seriously impaired in war time by the rights conferred upon belligerents under the laws of war, which impose extensive limitations upon neutral commerce and communications with the enemy.

The freedom of the seas for neutrals in time of war, therefore, means, from the belligerents' point of view, nothing more than the freedom permitted under the limitations imposed by the enforcement of belligerent rights, and conversely from the neutrals' point of view, it means immunity from belligerent interference beyond the limits which the rights of neutrals imposed upon the enforcement of the rights of belligerents.

It is well to bear in mind that the rights and interests of neutrals are not superior to or more privileged than the rights and interests of belligerents. Judging by experience in the present war, neutrals may expect to be treated by belligerents with no greater degree of consideration than is demanded by the exigencies of the situation. The policy which the United States has so long and consistently urged of making private property, except contraband, immune from capture at sea, would be a step in the right direction, but it is now evident that the exception of contraband would destroy the importance of this policy since practically everything destined to an enemy country is liable to be classed as contraband under the modern method of organizing the entire resources of a nation for war purposes. So long as sea power is unequally distributed among nations, there is but little prospect of a settlement of this problem by international agreement. The only certain way of regulating the freedom of the seas in the interest of neutrals in time of war

would be by replacing national sea power by international sea power, and that involves the question of disarmament and international police, which looks to the prevention of war rather than the freedom of the seas in time of war, and therefore is outside the scope of the present discussion.

In the present war, in addition to the familiar questions affecting the freedom of the seas arising from the law of blockade and of contraband, involving the right of seizure and incidentally the right of visit and search, and interference with the mails, the rules laid down in the Declaration of Paris and the establishment of war zones, the United States has also been concerned with the novel questions arising from the use of submarines as commerce destroyers, and the special regulations for immunity from seizure and condemnation adopted in the treaties of 1795 and 1799, as revived by the treaty of 1828 between the United States and Prussia, the obligations of which have since been accepted as binding upon the German Empire.

Apart from the laws invoked against the use of submarines as commerce destroyers, none of these laws and regulations is, strictly speaking, based on fundamental principles, but in each case they represent a compromise between neutral and belligerent interests as sanctioned by international custom and agreement. The inevitable conflict between the interests of neutrals and belligerents necessarily leads to differences of opinion as to their respective rights under these laws and regulations, and the rights of each class are unceasingly threatened with encroachment and impairment by the extension of the rights claimed by the other.

In so far as this conflict of interest is confined merely to differences of opinion as to the meaning of recognized laws and the interpretation of treaty stipulations, and so long as the conduct of belligerents is admitted to be controlled by the obligations of international law and agreements, the questions of difference can readily be dealt with by the usual methods of diplomatic discussion and international investigation and arbitration.

In accordance with the traditional policy of the United States, and by virtue of its general and special arbitration treaties, questions of a legal nature, which do not involve vital interests or national honor, and which cannot be settled by diplomacy, must be referred to arbitration; and by virtue of a series of treaties for the

advancement of peace, which practically all of the principal belligerents except the Central Powers entered into with the United States shortly after the outbreak of the present war, disputes arising between them of every nature whatsoever shall, when diplomatic methods of adjustment have failed, be submitted for investigation and report to a permanent international commission, postponing the commencement of hostilities meanwhile for at least a year.

So far as these questions are concerned, therefore, the obligation of the United States as the defender of international right was clearly defined and could easily be fulfilled.

Unfortunately, however, the interference with neutral rights on the high seas has not been confined in all cases to the mere question of the adjustment, within legal limitations, of the conflicting interests of belligerents and neutrals. There have been frequent occasions when the limitations of international law and the obligation of treaties have been deliberately and admittedly disregarded and violated.

Where these acts of lawlessness were no more than breaches of international good faith, even when they amounted to the violation of conventional or customary law, they might still be dealt with by diplomacy when pecuniary compensation would repair the resulting damages, or by the adoption of measures of retaliation or the imposition of such penalties as non-intercourse and loss of credit among reputable nations. But where these acts of lawlessness extended into the realm of barbarity violating the fundamental laws of humanity and civilization, what then was the obligation of the United States as the defender of international right?

Although, as above stated, the laws and regulations governing the respective rights of belligerents and neutrals in the freedom of the seas are founded on consent, rather than on principle, nevertheless, no rights can be admitted and no practices can be tolerated which are inconsistent with the principles of humanity and civilization, upon which all international law is founded, and this is a limitation which depends for its enforcement not upon any proceedings of international diplomacy or arbitration, but upon the force which humanity and civilization are prepared to exert for their own salvation.

The choice is between the preservation and the degradation of



American standards, and on that question, just as in this war, no American can remain neutral.

This brings up for consideration one specific point which I wish to discuss on the general subject of the obligation of the United States while a neutral in the present war as the defender of international right in relation to the freedom of the seas.

A pertinent question is the extent of our own responsibility for the failure of the belligerent nations to govern their conduct toward each other during this war in accordance with the requirements of international law. This is a question to which the American people, as neutrals, seem to have given but little thought.

Obviously we are not without responsibility for the conduct of the belligerent nations toward ourselves, and that is generally recognized, but it seems to have been lightly assumed that our neutrality did not require or permit us to concern ourselves with the treatment by belligerents of each other, or of other neutrals, and that the responsibility for determining whether or not the rights and obligations of international law should be observed rested primarily with the belligerent nations.

The question of what could or should have been done, more than has been done by our government, to compel the observance of international law by belligerents in their relations with each other and with ourselves and with other neutral nations, is a question of governmental policy involving political considerations and legislative and executive action which I do not feel called upon to discuss here. The point to which I wish to call attention is that every neutral nation, and especially the United States as a neutral nation in the present war, was not less, and perhaps even more, interested than the belligerents themselves in requiring that nations at war shall treat not merely neutral nations, but enemy nations as well, in accordance with the approved practices and usages of international law in time of war.

This doctrine of neutral responsibility was expounded by Senator Root in an address delivered by him at the annual meeting of the American Society of International Law in December, 1915, from which the following extract is taken:

International laws violated with impunity must soon cease to exist, and every state has a direct interest in preventing those violations which, if permitted to continue, would destroy the law. Wherever in the world, the laws which should

protect the independence of nations, the inviolability of their territory, the lives and property of their citizens, are violated, all other nations have a right to protest against the breaking down of the law. Such a protest would not be an interference in the quarrels of others. It would be an assertion of the protesting nations' own right against the injury done to it by the destruction of the law upon which it relies for its peace and security. What would follow such a protest must in each case depend upon the protesting nation's own judgment as to policy, upon the feeling of its people and the wisdom of its governing body. Whatever it does, if it does anything, will be done not as a stranger to a dispute or as an intermediary in the affairs of others, but in its own right for the protection of its own interest.

Applying this doctrine to the freedom of the seas, the United States has been brought into contact at several points with lawlessness on the seas in this war in a way which from the beginning threatened serious consequences, and chiefly by reason of the German method of submarine warfare against commercial vessels. This policy was adopted avowedly as a measure of reprisal, and its justification has been attempted solely on that ground. It will be observed that this ground of justification would be wholly unnecessary if the retaliatory measure did not in itself violate the law.

I am not going into the law of reprisal further than to point out that it imposes certain limitations which must be insisted upon to give it the character of a law. It is sufficient to say that nowhere in our diplomatic correspondence with Germany on this subject has the German government denied the assertions in the notes of the United States that the German method of submarine warfare is contrary to the rules, practices and spirit of modern warfare, and a departure from the naval codes of all nations, including its own.

In denouncing Germany's retaliatory measures, the United States government did not base its objections on the technical ground that the war measures of the Allies did not furnish just cause for retaliation. The reason assigned was that the German measures of reprisal violated the requirements of international law. If they had not been illegal, or if, in spite of their illegality, they could have been justified by describing them as reprisals, our government would have had no legal ground for complaint. Neutrals on merchant ships of belligerents have no higher or different right to protection than enemy non-combatants on such ships. If, therefore, the methods employed by Germany for the destruction of non-combatants on enemy merchant vessels had not been pro-

hibited as unlawful even between belligerents, our government would have had to acquiesce in Germany's suggestion that American citizens be warned that they traveled on belligerent vessels at their own risk. The government of the United States took the comprehensive ground that by reason of the inherent unfitness of submarines for use as commerce destroyers, they could not be used for that purpose without violating not only the universally accepted rules of international law, but the underlying principles of humanity as well, and, therefore, refused to recognize any justification for such lawlessness in the guise of retaliatory measures. As stated in the American note to Germany of May 13, following the destruction of the *Lusitania*:

the objection to their [Germany's] present method of attack against the trade of their enemies lies in the practical impossibility of employing submarines in the destruction of commerce without disregarding those rules of fairness, reason, justice, and humanity, which all modern opinion regards as imperative. It is practically impossible for the officers of a submarine to visit a merchantman at sea and examine her papers and cargo. It is practically impossible for them to make a prize of her; and, if they cannot put a prize crew on board of her, they cannot sink her without leaving her crew and all on board of her to the mercy of the sea in her small boats. These facts it is understood the imperial German government frankly admit. We are informed that in the instance of which we have spoken time enough for even that poor measure of safety was not given, and in at least two of the cases cited not so much as a warning was received. Manifestly submarines cannot be used against merchantmen, as the last few weeks have shown, without an inevitable violation of many sacred principles of justice and humanity.

In that statement of the law, the United States, although speaking only for American interests, made it clear that the destruction of enemy non-combatants on belligerent merchant ships was just as unlawful as the destruction of neutral passengers on those ships.

It thus appears that the destruction of American citizens on belligerent merchant ships in consequence of German submarine warfare against British commerce brought the United States face to face with serious responsibilities imposed upon it by reason of a violation of the obligations which international law imposes upon belligerents in their treatment of each other.

But this destruction of American lives was not the only evil consequence affecting the United States which grew out of this lawless method of attack by one belligerent upon another. Having

drawn the United States into contact with the conflicting interests of the belligerents, Germany promptly seized upon this situation as a favorable opportunity for imposing upon the United States the entire responsibility for its solution.

An examination of the diplomatic correspondence will show that Germany offered to abandon her submarine warfare against commerce if Great Britain would abandon her blockade.

It will be remembered that the United States disputed the validity of this blockade in some of its aspects, and demanded its abatement, but without success. Germany admitted frankly that the question of the observance or non-observance by the United States of this blockade was a question to be dealt with solely between the United States and Great Britain. This was distinctly stated in the German note of February 15, 1915, as follows:

The German government have given due recognition to the fact that as a matter of form the exercise of rights and the toleration of wrong on the part of neutrals is limited by their pleasure alone and involves no formal breach of neutrality.

But, although as here admitted the German government was not justified in holding that the neutral nations in submitting to an interruption of their trade with Germany were unneutral or unfriendly, and although the rights of neutrals, and not the rights of Germany, were being interfered with, for the restrictions imposed by the law of blockade are imposed in the interest of neutrals and not of the blockaded enemy, nevertheless Germany proceeded to call the neutrals to account for acquiescing in the blockade and assigned this interruption of neutral trade with Germany as the justification for the German reprisals against the Allies.

In view of these considerations and of Germany's attitude toward neutrals in this controversy, it is evident that Germany's measures of reprisal were in effect reprisals against neutrals for acquiescing in Great Britain's interruption of neutral trade with Germany, although, as stated above, the German government itself has admitted that neutrals are under no obligation to engage in trade with Germany, and that they may acquiesce in its discontinuance without a breach of neutrality.

Yet the German government in its diplomatic correspondence with the United States has frequently asserted that its chief purpose in using submarines as commerce destroyers was to maintain the

freedom of the seas, and this assertion has been put forward ostensibly on the basis of protecting neutral rights.

Obviously Germany could not have expected that its ruthless submarine warfare against commerce, involving the destruction of neutral lives and property, would serve as an inducement to the neutrals to renew their trade with Germany.

Germany's real position was that if Great Britain was unwilling to agree to abandon the blockade, the United States could not object to Germany's measures of reprisal without first bringing effective pressure to bear upon Great Britain to abandon the blockade. In other words, that objections to illegal measures of reprisal could not be urged by a neutral government which had submitted to the alleged illegal acts in consequence of which the measures of reprisal were adopted.

The stoppage in our trade in war supplies for the Allies has been the chief purpose of German diplomacy in this country ever since the establishment of the British blockade shutting out all supplies from Germany, and that purpose has been their guiding star in their controversy with us about submarine warfare.

The plan was simple and adroit. If it could be made to appear that Great Britain's blockade was the responsible cause of Germany's submarine warfare, then, in order to settle that question, it might be possible to arouse the United States to resentment against the British blockade, which the United States had characterized as unlawful. It was anticipated that Great Britain would refuse to abandon the blockade, and it was hoped that a refusal by Great Britain to do this would result in the adoption by the United States of an embargo against the exportation of war munitions to the Allies, which was the result chiefly desired by Germany.

This plan failed, but the purpose underlying it persisted, and the outcome serves to show how easily and how deeply the rights of a neutral nation may be affected in consequence of the violation of the rules of international law by belligerents in their treatment of each other.

It will be remembered that the government of the United States refused to consider Germany's suggestion that submarine warfare on commerce should be contingent upon securing relief from British interference with neutral trade with Germany, and

that when this suggestion was renewed in the Sussex correspondence the final reply of the government of the United States was that:

it cannot for a moment entertain, much less discuss, a suggestion that respect by German naval authorities for the rights of citizens of the United States upon the high seas should in any way or in the slightest degree be made contingent upon the conduct of any other government affecting the rights of neutrals and non-combatants. Responsibility in such matters is single, not joint; absolute, not relative.

Germany made no reply at that time, and by reason of their inaction gained the credit for acquiescence. It now appears that they were waiting only because delay best suited their convenience. The German Chancellor said in March of last year that "when the most ruthless methods are considered as best calculated to lead to victory, then they must be employed," but they were not ready then—they were merely biding their time—and it was not until January of this year that they considered that the time had come. All this was frankly stated by the German Chancellor when on January 31, he officially announced that the moment for which they had been waiting to renew ruthless submarine warfare had at last arrived. He said:

Last autumn the time was not yet ripe, but today the moment has come when, with the greatest prospect of success, we can undertake this enterprise. We must, therefore, not wait any longer. Where has there been a change?

In the first place, the most important fact of all is that the number of our submarines has been very considerably increased as compared with last spring, and thereby a firm basis has been created for success.

And further:

The military situation, as a whole, permits us to accept all consequences which an unrestricted U-boat war may bring about, and as this U-boat war in all circumstances is the means to injure our enemies most grievously, it must be begun.

He seems to have made the German theory of the freedom of the seas sufficiently clear.

The usages and customs of war which have been worked out through centuries of development, and which at the beginning of the present war represented the enlightened thought of civilization as to what should be the rights and duties of belligerents toward each other and toward neutrals, seem to have been based for the most part on the theory that war is a game which must be played according to rules. Most of these rules have been wiped out by the vastness of the scale on which a war involving more than half

the world must be conducted, and by the destructiveness and frightfulness of the methods which have been introduced, producing an upheaval in the stability of things very like a tremendous process of nature which no man-made law can govern, and which is not amenable to the principles of morality or humanity. The only restraining influence is force against force.

## ELEMENTS OF A JUST AND DURABLE PEACE

BY PHILIP MARSHALL BROWN,

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To talk of peace in times of peace is an agreeable form of speculation. To talk of peace in times of war is a solemn obligation. There must be preparedness for peace as well as for war.

Peace propaganda and discussion in the United States, while the world was at peace, or this country merely a neutral with the rest of the world at war, has been more or less academic and unprofitable. Sentiment has played a larger part than reason. There have always been earnest souls longing for peace—both spiritual and temporal. The horrors of war have accentuated these longings. The demand for the prevention of war, however, has become so fervid as to be hysterical. The cause of world-peace has been discredited, in part, by irrational denunciations of war, or ill-considered proposals for its elimination.

Now we are at war we should have a clearer mental vision. War is a marvelous stimulus to thought. It demands that we face honestly the great realities of existence. It does not allow us to linger in a fool's paradise. It compels us to test preconceived theories in a fiery furnace. They must undergo "ordeal by battle."

We have had too much academic discussion, not only concerning peace, but in regard to almost every other field of human interest. In law, education, sociology, politics and religion, we have indulged in arguments, subtle distinctions, and intellectual refinements that have obscured the most elemental, primal truths. We have been in danger of losing that primitive power—shared by savages and children alike—the power of distinguishing between right and wrong, justice and injustice. We have ignored the profound truth expressed by Montesquieu, that: "The sentiment of justice was created in man before reason itself." And war comes as a supreme corrective to this insidious academic anaemia. It hurls us into the center of the stupendous problems of the world. We are no longer onlookers and critics. The question of world-peace is now our own practical problem. It has ceased to be a



matter for academic discussion. We have a right to be consulted and to be heard. We are bound to discover, if we can, the final goal of all this horror and heroism.

What, then, are "the elements of a just and durable peace?" The very phrasing of the subject is in itself illuminating. What do we mean by *peace*? What is international justice? What is *durable* in human affairs? What are the *elements* that guarantee peace, justice and permanency among nations?

First of all, we should recognize that peace is not the supreme aim of society. Like pleasure, contentment, character and virtue, peace is only a by-product. It is a result. It comes to the individual and the community alike when men live honestly and justly; when they have fought with the beasts at Ephesus, and conquered the forces of evil. Peace comes through warfare with vice and injustice. The supreme aim of society is not peace itself, but the triumph of justice. And men often know peace only when they are actually engaged in the fight for justice.

Nothing could have been more infelicitous than the choice of the name of "The League to Enforce Peace." The enforcement of peace would be as abhorrent as it would be futile. The idea is as offensive as the so-called "pacification" of peoples by the armies of tyrants or conquerors. There can be no enforcement of peace, no true pacification where wrongs remain unavenged, and justice does not prevail. The true aim of all who desire peace should be, not the enforcement of peace, but the enforcement of justice.

Justice, then, being the final goal of society, how is it to be attained? In any association of men for mutual benefit, the first aim is to determine their interests and rights. They then seek to find the most effective way to protect their rights.

In order to determine rights, it is essential that men should share common conceptions of rights and obligations. They must think fundamentally alike. In order to protect their rights, they must have a direct control over the making of law, its interpretation and enforcement. Men are unwilling to abdicate entirely their rights into the hands of any absolute, final authority. The sentiment of justice is, indeed, a primitive instinct. Though torrents of blood must flow, men will never cravenly surrender the cause of justice for the cause of peace.

If this be true within a nation, how much more significant is

this same truth within the community of nations! We must never lose sight of the rightful aims of nationalism. Why do men group themselves in various national communities if not for the pursuit of justice? Nations, like men, demand the utmost freedom to attain this end along their own lines of preference. Is not the world vastly the richer through the intellectual, political, economic, artistic, ethical and religious contributions of free, independent nations? The basis of international peace must of necessity consist in the utmost respect for the right of nations to the fullest amount of freedom required by their legitimate national aspirations.

How, then, are international rights to be determined? We ought at once to recognize the profoundly significant fact that all nations do not share common conceptions of rights and obligations. It is lamentably true, as Maximilian Harden has pointed out, that the rest of the world is against Germany "because they do not think as we Germans think." Before we may attempt to determine the simplest rights of nations, Germany, Japan, the United States, Nicaragua, Spain, Russia and all the other nations of the world, must learn to think alike in fundamentals concerning right and wrong, privileges and duties, justice and injustice. Until men in free democracies are permitted to indicate clearly their national preferences, we cannot rightfully pretend even to draw the boundaries of nations with any certainty of justice. Witness Poland, Alsace-Lorraine, Schleswig-Holstein, and other disembodied national spirits—not to fail to mention Ireland.

If it has been impossible as yet to determine even the elemental rights of nations, how fantastic it seems to attempt solemnly to discuss the means of *enforcing* their rights! I do not mean to imply that there is no well-defined body of international rights entitled to protection. There are, of course, many such rights consecrated by usage, judicial decisions and treaties. In times of peace, these rights are universally respected and automatically enforced by the courts or the executives of civilized nations. Diplomacy, in ordinary times, pays unostentatious homage to these rights. There exist facilities for international justice through arbitration, commissions of enquiry, etc., though these agencies need to be perfected and augmented. It still remains true, however, that, until the basic rights of nations are clearly determined by their active, intelligent, mutual consent, it is folly to talk of coercion. There can be no just

coercion of men or of nations where there has been no clear definition of their rights. This is the bed-rock of international justice. This is the sure basis of international peace; rights must first be determined before nations may be subjected to restraint by international police or leagues of nations.

It would seem clear that the determination of the rights of nations is a matter of mutual agreement. They may not be determined arbitrarily by any one nation or by any group of powerful nations. This means, in concrete terms, that the victor in war must take care that he does not impose conditions of peace which violate the essential national interests of the vanquished. Arbitrary annexations of territory, and the subjection of alien peoples can only lead to other wars. Witness the criminal wrongs of the Treaty of Berlin whose baleful effects we are still beholding today! The utterly vicious principle of the balance of power which hitherto has dominated and devastated Europe must definitely be abandoned. Enduring peace can be laid on no such shifting foundations.

The participation of the United States in the great war warrants our insisting that it be ended in accordance with sound principles which shall guarantee the future law and order of the world. We cannot assume direct responsibility for all the complicated adjustments which must take place in Europe at the end of the war. We are bound, however, to determine clearly in our own minds, and vigorously to support those principles which should be obeyed in the making of peace.

These principles would seem to be, in brief, the principles of nationalism, self-government and freedom of trade. The instinctive desire of men to group together in accordance with their distinct national preferences, whether of race, language, religion, political traditions, social customs or economic needs, must be respected. This is fundamental. It is directly opposed to the archaic principle of balance of power. If men object that certain nations—Russia, for example—may be a menace because of their size, it must be conceded that greater harm has already come through the denial of nationalistic aspirations. Idealists, as well as statesmen, would do well to cease their opposition to the just claims of nationalities. The spirit of nationalism is a dynamic force which may not be repressed with safety. It need not be in opposition to internationalism, if respected. It will disrupt the world, if not respected.

The right of men to govern themselves is the second fundamental principle which must be respected in order to encourage enduring peace. If it should not prove feasible in every instance to resurrect dismembered states, and draw anew the map of the world, at least the right of men to govern themselves in autonomous communities must be conceded. Complete independence, though supremely desirable, is not an absolute *sine qua non* of nationalism. The concession of autonomy in local government, in Poland or Ireland, for example, as in Bavaria or Canada, would go far towards the contentment and peace of nations.

The third principle which should be observed, is that of freedom of trade. Tariff fortresses constitute a menace as well as standing armies. Economic strangulation, as in the case of Serbia at the hands of Austria, may be as insidiously effective in the long run as open warfare. The threat of the Entente Allies to continue an economic warfare against Germany at the end of the present conflict should be viewed with alarm by all friends of world-peace.

Nations will be compelled some day to come to a mutual understanding concerning the exchange of products. They cannot tolerate cut-throat competition. In many cases, such as Serbia and Poland, for example, freedom of trade with neighboring countries would be a necessary corollary to their right to exist as separate, or autonomous national states. One dislikes being classified as a radical. The logic of the situation, however, should lead us to recognize that nations, sooner or later, must not merely destroy their economic barriers; they must also come to definite understandings concerning the very basic questions of production and distribution. They cannot abandon protective dikes against the flooding of their markets by the products of cheap labor unless they first reach an agreement concerning the production and the distribution of these products. If this understanding is not realized, then protectionist wars will continue; nations will suffer; discontent will ensue, and then hate and war itself. There is a danger, of course, of giving too much weight to the influence of economic factors, in history, morals and politics. But we cannot afford to ignore, it seems to me, the profound significance of the principle of regulated freedom of trade as a necessary element in the peace of the world.

Most of the writers on the law of nations have placed great

stress on the so-called absolute, inherent, fundamental rights of states. Much of this discussion—particularly that relating to the sovereignty and equality of nations—seems academic. The right of a nation to exist, however, is the basic principle of international law. But this does not imply the consecration of an iniquitous *status quo*. Certain nations built up in flagrant denial of the rights of nationalities—Austria-Hungary, for example—can claim no absolute right of existence. National boundaries in many instances must be completely retraced before international law may properly be invoked in defence of an alleged right to exist.

The object of a great war like the present should be an enduring peace. And an enduring peace cannot be found unless it be based on sound principles. Such principles would seem in the main to be: the recognition of the rights of nationalities; the right to self-government; and regulated freedom of trade. If warring nations are not prepared to make peace in a spirit of equity and in obedience to sound principles, they must inevitably face the necessity of future wars. In such an event, it would be both futile and unpardonable to talk of perpetual peace.

To summarize briefly, the essential elements of a just and durable peace would seem to be the following:

*I The necessity of common conceptions of rights and obligations, of justice and injustice among nations.*

*II The clear determination of the fundamental rights of nations in accordance with the principles of nationalism, self-government, and freedom of trade.*

*III The clear determination of all the other rights of nations by mutual agreement.*

*IV There shall be no collective coercion of nations by international police, or by any disguised form of international executive, before their rights shall be clearly determined.*

*V The protection of such rights must be accorded in such a form that there shall be no menace to the freedom of men to pursue their legitimate national ends.*

Having faced squarely this stupendous problem that now confronts the United States, we should try to outline our immediate and practical duty in behalf of enduring peace. As regards the present war, we ought by every possible agency of speech and press

to make perfectly certain that the United States does not become partner in any peace settlement made in defiance of the principles of international justice. If we are permitted to make sacrifices for the cause of international law and order, we must be permitted also to insist that the final goal of all this sacramental sacrifice shall be international justice. We are bound to oppose with all our might a peace imposed on the vanquished to gratify the desire for revenge, for territorial aggrandizement or power. May we not consider the entry of the United States in this war as a sacred opportunity to mediate between ancient enmities, and to inspire in the belligerents of the Old World confidence in new invigorating principles of world-peace? May we not through the horrors of war thus accomplish the ideals for peace which we had vainly hoped to accomplish through peace?

Considering the problem of a just peace in its general aspect, irrespective of the present war, our duty would seem primarily to be that of helping all nations to understand each other. They must learn to sympathize and think alike before they can lay the foundations of durable peace. This is a gigantic task of education and conciliation. The agencies for this conciliative function are many, however, and include, especially, international conferences at The Hague and elsewhere to discuss the common needs and rights of nations. They include the various international unions such as the Universal Postal Union, the Red Cross, the Agricultural Institute, the Brussels Office of Customs Tariffs, the Interparliamentary Union and the Bureau of Arbitration at The Hague.

But we in America should be particularly interested in the upbuilding of so promising an agency for international peace as the Pan-American Union at Washington. Admitting the supreme difficulties in the way of world-peace, we can at least, as practical idealists, turn our attention to the immense problem of bringing about the reign of justice and peace on this hemisphere. Let us try first of all to bring about an understanding between the twenty-one nations of this portion of a distracted world. Let us induce them to gather together to discuss, recommend, and to legislate in regard to their common interests. Having found a way to determine their rights, we may then properly proceed with the other difficult task of securing the most effective agencies for the interpretation and the protection of such rights. We have in the Pan-American Union the

very agency for so magnificent a work. There would seem to exist no insuperable difficulties in the way of invigorating that institution, and giving it such increased powers of investigation, discussion, recommendation, and even of legislation, that it may become the prototype of that greater world clearing house for the advancement of the mutual interests, the rights and the peace of nations which all men desire.

In conclusion, we would do well to be on our guard lest the realization of the horrors of war should create an atmosphere of hysteria around this supreme problem of international justice. Horrible as this war is, it must not prompt us to recommend expedients for peace which might involve any fundamental denial of justice. We must remember that there are horrors of peace as well as of war. Where vice and wickedness flourish, where injustice reigns unrestrained, it is criminal to insist on enduring peace.

Furthermore, we must recognize that, humanly speaking, nothing is permanent. There can be no perpetual peace. It may be striven for only through eternal conflict with wrong. And to secure the triumph of justice between nations, men, at times, must be willing and eager to fight.

By an extraordinary paradox, then, war itself must sometimes be accepted as a righteous and an essential element of a just peace. Militarists, pacifists and all good patriots alike should fervently unite in the firm determination that so grim an element shall not have been employed in vain.

## THE BASES OF A JUST AND ENDURING PEACE

BY FRANKLIN H. GIDDINGS, PH.D., LL.D.,

Columbia University, New York.

Peace at any price would be the abject surrender of justice and the abandonment of morality, and could never be an enduring peace. Peace at any price means the surrender of civilization, liberty, responsibility and self-respect. It means the exchange of a freeman's birthright for a villain's broth. In shame and humiliation we have to take an inventory of those individuals in our population that would make such surrender and would so barter. Rela-

tively, however, they are not numerous and never can be. They are among those extreme variates from human normality, which range from persons of low intelligence and grotesque criminality at one end of the frequency curve, to mad geniuses and martyrs at the other end. All such variates, the good and the bad, the desirable and the undesirable, get crowded to the wall and exterminated when the struggle for existence is really severe, but when life is as soft as it has been in England and the United States for fifty or more years past, they are able to live and to propagate. Fortunately, they have never controlled public policy on a large scale, or for a long time, and they never will control it. Least of all will peace at any price men control. The normal man wants peace not as an end but as a means. He wants peace because he wants to feel that his wife and children are safe while he does his day's work. He wants peace if therewith he can enjoy liberty and a good conscience; otherwise he wants to fight, and fight he will, with a joy pure and undefiled. This is not mere argument. It is statistical fact which happens to fix and to define the possibilities of enduring peace. Variates from type are minorities, normal men are a majority. The normal majority will not accept peace at any price. They will fight. For the purposes of peace propaganda that hope to get somewhere the peace-at-any-price man is obstructive.

There can be no just and no enduring peace between absolutism and democracy.

The American Revolution was not taken seriously in the throne rooms of continental Europe. A desperately impoverished population of less than three million souls, dwelling three thousand miles from anywhere, could safely be let alone to indulge itself, for a time, in the odd conceits of republicanism. The experiment would probably fail, and, if it did not, Europe could at any time curb its power for mischief.

The French Revolution was another matter. That upheaval sent chills down royal spines. The guillotine in the Place de la Concorde was near enough to be seen and heard when one lay awake in the night. Also, it was known to be inexpensive, making no impossible demands upon the financial resources of a third estate, and was understood to be practical. It cut off two Bourbon heads of the first class and plenty of others only less respectable; and yet, and this was the worst of it, its operations were only an episode,



as monarchical statesmen from Westminster to Moscow quite well apprehended. The real revolution had been half accomplished before sensational occurrences began; it proceeded quietly and was relentless.

An entire people had awakened, and in coming to consciousness of itself had discovered that it was strong enough to throw off intolerable burdens. Then it found a way to put forth its strength. Ancient privileges of rank and class that had been looked upon as eternal verities of the constitution were not merely abolished; they were annihilated, with characteristic French thoroughness, and the ground was cleared for a republican scheme of rights, liberties and laws.

From the confiscation of the properties of the nobles and the church in 1789 until the invasion of Belgium in 1914 there never was an hour when, so far as the human mind could see, any derailing of the train of events which was headed for the battle of the Marne, would have been possible.

The monarchs of Europe perceived that unless the revolution could be stopped in France it would extend throughout Europe and sweep all the dynasties away together. Therefore, they attacked France. That attack discovered Napoleon Bonaparte and put him in power.

Bonaparte knew that his fortunes must be built upon the substantial results of the revolution, and he therefore, in settling the estate, saw to it that those results were embodied and defined in the Code Napoléon. In conquering Europe, however, and building an empire he gave rein to his own ambition, thereby imperiling the liberties for which, presumably, he never had cared save in so far as he could use them for his own purposes. His overthrow was the destruction of a personal but dangerous military absolutism, but it was also the triumph of reactionary monarchism. Democracy could not have made its way if the first empire had survived, but from the moment that the Emperor was retired to St. Helena, the war was on again between popular politics and the dynasties, all superficial appearances to the contrary, notwithstanding. The Chartist disturbances in England, revolutionary activities in France in the thirties and forties, and the abortive revolution in Germany in 1848 were the futile outbreakings of democratic forces ever increasing in strength, but not then strong enough for so tremendous a task as they had attempted.

The rest of the story is brief, and relatively uncomplicated. The human animal and his interests being what they are, the Napoleonic wars made inevitable the Prussian aggression of 1870-1871; and the creation of the German Empire by successful Prussia made inevitable the monstrous Prussian arrogance which, from the accession of William II until Verdun, fed itself upon dreams and plans of world empire. The boastful proclamation of this purpose, and the systematic creation of the most tremendous militaristic system ever seen or imagined, with declared intent to use it aggressively, made inevitable the alliance of Great Britain with France (her foe of a century ago) against Germany, her ally then against Napoleon.

So, at last, the giant democracies of western Europe and the giant absolutisms of central Europe confronted each other on the fields of France and Flanders in life and death grapple. The issue, that had been more or less confused, became sharply defined. Democracy or dynasty will be sovereign, from this time on.

The case of Russia is not less clear than the issue between France and Prussia. The man who until a month ago denied that this war is a conflict between democracy and dynasty because, forsooth, Russia was fighting as the ally of France and of Great Britain, was one of those publicists described in holy writ who darken council by words without knowledge. The Russian dynasty, Teutonic in sympathy and more than half Teutonic in blood, would have fought with Germany if it had dared. It did not dare because the Russian people, including the business classes, were ripe for revolution, and were in sympathy with the aspirations of the democratic peoples.

Therefore let the blazing truth about this war be repeated, emphasized, driven home, to every mind. This war is the life and death fight of dynasty at bay. It is the most portentous as it is the most gigantic and the most dreadful conflict in all human history, because it is the last stand of the massed and organized forces of despotism against liberty, enlightenment and progress. If it is won by the democratic peoples it is won forever.

If the democratic peoples are defeated, what then? Then fighting will continue. All the work of centuries must be done over again. Insurrections, rebellions, revolutions must once more be the chief interest of men worthy of the name. Whoso talks of peace will deserve and will get only the scorn of the brave and the just.

Here, again, it is fact, not argument, that is presented. Mankind has not tasted self-government and individual liberty for nothing. A major number of human beings in western Europe and in America will not submit tamely to the absolutist rule from which they have for a hundred years believed themselves to have escaped. Less than ten years before the war began everybody was predicting that the existing generation would see liberal constitutional government established over the entire earth. Turkey, Persia, China, would be republics at least in name and under the stimulus of self-respecting liberty would rapidly become republics in fact. Perhaps this forecast was a dream, but if it was, it will be dreamed again.

There is one more possibility to consider. If the war ends in a peace without victory, what may we expect? There are only two things that can happen, and therefore only two things that a reasoning mind can expect. The forces of democracy will more quickly recover and set about the business of preparing an adequate defence against the next onslaught of absolutism, or the forces of absolutism will more quickly recover and set about the business of preparation for the next war of aggression. The two sets of forces will not long remain in equilibrium. Peace without victory will be an armistice, nothing more.

The problem is now fully before us. We may look at it from any angle. We may turn it inside out and outside in. The issue remains specific; unalterable. There can be no enduring peace on this earth until absolutism is destroyed. A peace program that does not squarely face this fact is a pipe dream.

If we do face it squarely we shall think straight about the possibilities and practicalities of all proposed leagues to enforce peace.

A universal league, including all the sovereign nations would be nothing more or less than the existing state of affairs under another name. It would be the most absurd perpetual-motion machine ever yet experimented with. The relations of the nations to one another, as defined and regulated by the international law of the world as it stood on July 31, 1914, constituted a world league of peace, neither more nor less, and it went to smash. A league to keep the peace presumes that its component nations will honorably keep faith with one another. A league to enforce peace must be composed of nations that will both keep faith with one another and

practically act in coöperation with one another against the law breaker. Practically, these requirements can be met and will be met only if the component nations of the league share a common civilization, hold a common attitude toward questions of right, liberty, law and polity, and share a sense of common danger threatening from nations whose interests, ambitions, moralities and politics are antagonistic.

Practically, therefore, there are now only two possibilities open to the would-be makers of the leagues to enforce peace. There can be no universal league. That would be nothing but the adoption of a sounding name and a platform of pious resolutions. There can be no coherent, workable league made up of both democratic and dynastic nations. Fellowship of the wolf with the lamb has not yet been invented. Peace between the hyena and the dog does not endure, and wild, or domesticated, asses have not ceased to be the prey of lions in the wilderness. But there can be a league of democratic nations to safeguard republican civilization in the world, and there can be a league of dynastic nations to perpetuate dynastic authority and power.

These two leagues exist now, and into one or the other of them every nation in the world will inevitably be drawn. One is a league to enforce peace, because peace will come and will endure when the other one of these leagues is crushed.

Happily the United States has dropped the fatuous belief that it could stand aside and, from safe isolation, watch the titanic struggle between liberty and despotism. In the moral order of the universe it is not permitted to a nation, any more than it is permitted to an individual, to be neutral upon the great fundamental issues of conduct. He who does not dare to stand for what in his inmost soul he believes to be right must surely die the second death of those who become the craven slaves to what they once held to be wrong. The United States will worthily play its part in the league of the democratic peoples to safeguard those political principles which the league of the thirteen original American states was the first power to proclaim. Pacifists, like the givers of indiscriminate alms, whom they mentally resemble, we may always have with us, but the American nation will not be a partner and accomplice of dynasty.

ON WHAT PRINCIPLES IS THE SOCIETY OF STATES  
TO BE FOUNDED?

BY HENRI LA FONTAINE,

Member of Belgium Senate, Brussels, Belgium.

Belgium is indeed the symbol of the violation of international law. The integrity of Belgium was in the hands of the big powers. Neutralization was guaranteed to her in 1839. It was certainly a favor for Belgium, and it permitted my country—small as it was, with its population at that time of three million people, nearly eight million now—to become, in the commerce of the world, the fifth among the nations and to enjoy the biggest exportation and importation with the exception of France, Great Britain, the United States and Germany.

But Belgium was neutralized, not because the peoples had some sympathy for this country, but because it was necessary to create a buffer state between the three then most powerful empires of Europe, namely, Great Britain, France and Prussia, and permit both the latter ones to leave their frontiers facing Belgium unfortified. There were no fortifications either in Germany or in France near the Belgian border. This was the cause of our misfortune. It was because those frontiers were open that Germany invaded Belgium; it was the easiest way for her to get to Paris.

Now this situation, I hope, will be changed after this war. We have the confidence that Belgium will be restored and restored forever; there is no doubt about it. But to this end it is necessary, for Belgium and for all the small nations, that their existence should be guaranteed no more by some big powers, but by all the powers of the world. But something more is wanted if a lasting and durable peace is to be secured: the nations of the world ought to agree about some principles, precisely those principles which have been since more than a century advocated by the pacifists. I am one of such pacifists which were despised, which were criticized, but I am not an ultra-pacifist; and I claim to remain a pacifist even in saying that in this world, unfortunately, some force is to be used during some time more, perhaps during a short time, perhaps during some centuries, but force submissive to law and the guardian of law.

Now, what are such main principles which should be recognized by the Society of Nations, League of States or Union of States which were so much spoken of during these last two years? The first one should proclaim that the independence and the territorial integrity of all nations are guaranteed by all nations. That means that the Monroe Doctrine, as Mr. Woodrow Wilson said so clearly in one of his speeches, should become the doctrine of the world; instead of having the Monroe Doctrine applied to the nations of the western hemisphere alone, it should be applied to every nation on earth. It is only by a mutual protection that the world will be safe.

The second principle is the right of the peoples to dispose freely of themselves. There should be no more subservient nations but by their own will. The difficulties in the European situation derive largely from the fact that so many peoples in Europe were subjected to nations and to governments which did not get their just powers from the consent of the governed. Germany has under her rule, Alsace-Lorraine, Schleswig-Holstein, and the Polish provinces; Austria is the hated master of Galicia, Bohemia, Croatia, Bosnia and Herzegovina, Trieste and Trentino; and Turkey, before the last Balkan War, was the oppressive owner of a part of Serbia and a part of Roumania, of a part of Greece and of Albania, and Armenia and Syria in Asia Minor are always under her sanguinary domination.

Is it not interesting that precisely the three central powers, now united against mankind, were indeed the powers which had the largest number of foreign peoples under their abhorred domination? It is exactly that which ought to be changed. If it isn't changed, the world will be placed, after some years, in precisely the same unsettled condition out of which it was vainly trying to escape during the last years of the last century and the first years of this century. The acceptance of the principle here advocated by us and its drastic application are the basic conditions of a lasting Society of States.

The third principle is the solemn recognition of the equality of states, not a material equality, of course, but an equality of right, as we have introduced it in our national constitutions; as every citizen is equal to any other citizen, be he small or large, rich or poor, so should it be among the states. That principle was an undisputed one in international law and applied in all international and diplomatic gatherings. It was, namely, maintained at the two Peace

Conferences at The Hague, but during the second Peace Conference, behind the scenes in discussions among diplomats, the question of a change was raised and it was proposed to grant to the big powers in the world a preëminent position; but at once and with full reason, all the small nations objected, of course. I claim that the principle of equality should be rigidly maintained, because it is as important in international intercourse as it is in private intercourse. The small states have the same interest in having their rights vindicated and guaranteed by the Society of States as a powerful state, just the same as a citizen of small means has the same interest that his rights be guaranteed and vindicated as the rights of the rich man.

The fourth principle is that the states should be obliged to submit all their disputes to some judiciary or conciliatory process. There should be no more differences among nations considered as unable to be settled by some peaceable means. That of course excludes war.

This brings me to a fifth principle which should be introduced in international law. It is a very revolutionary one, but in the speech of Lloyd George, quoted by Mr. Slayden for a moment, he confessed that war is a crime. Now the principle I advocate is that war should no more be considered as a legal institution, because it is a crime, and should consequently be treated as such. This principle is a new one and therefore was not discussed till now among professors or experts in international law. Professors and experts in international law—I am myself a professor of international law—have always contended that war is a legal process, as duel was during centuries, as torture was. Torture as a legal institution was admitted not long ago by every state in the world, despite all its horrors, as slavery was, as serfdom was; but these things: slavery, serfdom, human sacrifice, torture, duel, have gone, and the world should now be able to get rid of war as a legal institution, as a legal process!

If that is done, and it can be done, the whole conception of the relations between states is changed. The basis on which international law would be established would be completely different, and the nearest consequence of such a rule would be to compel the states to create an international machinery.

The international machinery should consist of institutions like

those you have established in your own United States. They should be alike, but not similar. There should be a law-making body, not necessarily a parliament or congress, but a body with legislative powers. There should be a law-applying body. In that direction more is already done: we have already a Court of Arbitration, and in principle the states agreed to create a Supreme Court of the World or Court of International Justice, which it is proposed to complete by a Council of Conciliation; these three bodies would form the judiciary part of the administration of the world. Finally there should be not a proper executive, but an administrative body, in charge of the general interests of the world; a vast compound of the already existing offices and unions as the Postal Union, the Railroad Union, the Telegraphic Union. The work done and the work to be done in behalf of mankind should be systematized so that international coöperation in the world should become a part of the life of every day in every nation, changing the mind of all peoples by bringing them in constant touch one with another and showing that their own interests harmonize with the interests of humanity.

#### DISARMAMENT AND INTERNATIONAL COURTS PRE-REQUISITES TO A DURABLE PEACE

BY JAMES L. SLAYDEN,

Member of Congress from Texas.

Four, five, or possibly six years ago I read a great speech by the member of the House of Commons for the division of Carnarvon, Wales. It was an eloquent plea for arbitration and the settlement of international disputes by the method of courts, and a specially strong and convincing argument for an agreed reduction of national armaments. That great democrat and advocate of peace is now the Premier of the British Empire. His wonderful speech in London recently shows that he holds the same views still. I shall refer to them later.

I am not one of that class of pacifists which believes it possible to prevent war entirely, at least not just yet, and refuses to discuss it except from the point of view of its absolute and immediate ending. But I do believe that it is possible, by arrangements between



governments that now thoroughly appreciate the cost of wars and are beginning to understand their stupidity and futility, to make them comparatively harmless.

#### PULL THE FANGS

Out in the Southwest I once knew a man who called himself a snake merchant. His chief article of trade was that dangerous and repulsive reptile, the rattlesnake. He would handle his merchandise in a way that made the onlooker shiver but he knew, what they did not, that he had made the snakes harmless by pulling their fangs. Now, that is precisely what I would like to do to aggressive and belligerent governments that covet the lands and sovereignties of other nations. I would pull their fangs by taking away from them nearly all the military forces that foolish and confiding people have put at the command of kings. Ambitious monarchs can be made comparatively harmless by reducing the size of armies so much that they will cease to be anything more than a police force. Then they will serve a useful purpose at home and cease to be a menace abroad.

One soldier to each thousand people in any country is enough to keep internal peace in a just government, and if governments are not just the sooner they are overturned the better. But if one soldier to each thousand isn't enough two surely will be, and international agreement should prevent any government from going beyond that.

#### HOW IT WOULD HAVE FARED WITH BELGIUM

Suppose the federated German Empire had only controlled an army of 75,000 men in 1914 or, taking the larger figure I have suggested, 150,000, would there have been an invasion of Belgium, whose chief offense was that she lay on the highway between Berlin and Paris? Would Liege, Louvain, Dinant, Ypres and Rheims now be in ruins and their priceless treasures of books, pictures and architecture forever lost to the world? Armies of the size I suggest could not have done all that mischief, yet they would be large enough to keep the criminal classes under control while utterly unable to thwart democracy's right to break the shackles of oppression which is always imposed from above by the aid of the autocrat's military arm.

Thomas Jefferson, who lived in a less democratic era than ours, believed, and declared his belief, that revolutions were necessary once in a generation if the people were not to lose their blood-bought liberties. We may not think them necessary as often as Jefferson suggested but we will all agree, I assume, that the opportunity to assert the right to liberty and independence should not be denied by a huge army at the command of an autocrat. The way to peace, to a just and durable peace, is through democracy, and it is absolutely necessary to peace and democracy that the preponderance of power should never be taken from the people and given to the soldier. My faith in the people and in their supremacy in the domain of government has been greatly strengthened by recent events in Russia.

#### GRATITUDE TO NICHOLAS, THE CZAR

Russia and the world may well spare Nicholas Romanoff from the field of political activity, but justice to his memory compels the admission that during his reign he did one thing for which he is entitled to the gratitude of the whole world, which we now know may be drawn into disaster by the machinations of a few men.

Whether the inspiration of an aroused conscience or the difficulty of financing military projects caused it we may never know, but the great, epochal fact remains that governments began the serious consideration of reducing armaments on his motion. It is one of three or four good and statesmanlike deeds of an otherwise commonplace and inglorious reign. The historian of the future may in charity emphasize this great reform that Nicholas proposed and give only passing attention to pogroms, Siberian exiles and other things that damn the political administration of Russia. If I may be permitted indulgence in slang I will say that when Nicholas, the last of the autocrats of the House of Romanoff, called the first Hague Conference to disarm the nations in the interest of peace he "started something."

#### WILL GOVERNMENTS CONSENT?

Can we ever get the consent of governments to a general disarmament? I believe so, and I furthermore believe that never in the history of the world has there been such an opportunity for this greatest of all reforms as we will see at the close of the war in Europe.

The cost of modern war will plead for it and will finally compel it. Great Britain is now spending ten million dollars more each day in the prosecution of war than the army of the United States cost in any one of the twenty-four years from 1875 down to and including 1899.

The belligerent powers of Europe are spending more money each day than the average annual cost of the whole government of the United States between 1800 and 1861.

In 1865 the total cost of our government, outside the Post Office Department, was \$1,295,099,290, and the cost per capita in that most expensive year of the Civil War was \$37.27.

Last year when we were at peace with everybody but Pancho Villa, and, perhaps, on occasions with Carranza, our taxes per capita were nearly fifteen dollars.

Contrast that with the \$4.43 per head paid during Cleveland's administration for all expenses outside the Post Office Department and contrast it with the \$85.00 per head you will have to pay for the next year and charge the increased cost to war and excessive preparation for war.

We in America may stand such burdens a few years more but Europe cannot. All these vast sums, both in Europe and America, must come out of the sweat and toil of the man who works. But even that long-suffering class is beginning to think and assert its rights; even the patient, long-suffering Mujik has revolted at last.

A little while ago, an officer of the United States Navy of high rank, a frank and capable man, who was testifying before the Committee on Naval Affairs of the House of Representatives, said that if the policy of competition in armaments continued it could only have one of two endings, bankruptcy or war.

Mr. Hensley, of Missouri, on another occasion asked Captain McKean of the Navy what would be the consequence if two individuals "became apprehensive of each other and began to arm themselves," to which the naval officer replied that it would lead "to the hospital or the cemetery."

Hensley then asked him if the same thing would not happen to nations under like circumstances. Captain McKean replied that society would compel disarmament in the case of individuals and that the society of nations might do the same thing as to particular nations under such circumstances,

Another naval officer of high rank said that it was the policy of our government to be either the first or second naval power in the world. I think he really meant that that was the policy our naval officers wanted. When reminded of the fact that other nations might object to our being the first or second naval power of the world his reply was "we have the power and the money to protect ourselves and I think we could do it."

What, let me ask you, will become of the rights of small nations under such a policy? Is it not a return to the rule of the tooth and claw and can there be any just peace under such conditions, any hope for the small country, however just and peaceful, which hasn't the money and power?

#### REPUDIATION A POSSIBILITY

Already there is talk of repudiation in Europe, but not, of course, by officials of the contending powers for they are still trying to borrow, but by students of the world-wide madness who realize that there is a limit to the burdens that men can bear. That outcome would be hard on those who have put their earnings into the notes of Russia, Germany, Austria, France, Italy and the United Kingdom, but in the long run it might not be bad for the mass of men. If *excessive* armaments and war credits should both be abolished it will lead to a long period of peace. Some people believe that it is this threat of repudiation hanging over them that has caused the owners of such securities to demand that the taxpayers of the United States shall underwrite the war loans of belligerent Europe.

#### BIG ARMIES DO NOT INSURE PEACE

The theory that huge military preparation assures peace exploded in 1914. At that time Russia, Germany and Austria had the greatest armies in the world and they were the first countries to enter the war. I don't understand, in view of what has happened, how any man can keep a straight face and make that argument. Nations are like the men who compose them. Given a hostile feeling and weapons and they will use the weapons. It is perfectly clear that if we are to have a lasting and just peace after the great war the insane policy of competitive arming must be abandoned. I believe that must have been the President's thought when he used the phrase "peace without victory" in his speech to the Senate in

January. The President knows, as every thoughtful person must know, that if either side in the European War should win an overwhelming military victory its faith in the efficacy of arms in the settlement of international disputes will be renewed and strengthened, and that it would not agree to the policy of reduced armaments. If neither side should have such a victory, the folly and futility of war will be plain to the dullest mind. Its very horrors and inconclusiveness would illuminate the argument and hasten the substitution of the court and board of arbitration for the sword.

#### COURTS AND ARBITRATION WILL FOLLOW

I am convinced that if we can persuade, or compel, governments to reduce their military and naval establishments every other step in the plan for a just and lasting peace will follow easily and naturally. Heads of governments who are not inclined to quiet reasoning when they command great fleets and armies would then take a different view. The setting for war is complete when two heads of quarrelsome governments are heavily armed, but if either realizes that while his army is the best of its size in the world it is still not large enough to overrun and destroy a neighbor, he will incline to talk it over and settle differences some other way.

Abolish overgrown armies and navies and there will at once be an opening for the Council of Conciliation, the Court for the Judicial Settlement of International Disputes and the Board of Arbitration. If we can take away from the heads of governments, from the heads of all governments, the power to make war, *or to make conditions that compel war*, and take it so far away that they will forget that they ever had any connection with such things, the people will do the rest. The people, I believe, may be relied on not to condemn themselves to destruction. They will not put themselves into the hell of Verdun or Gallipoli.

From this you may surmise that I am pleading for democracy, and so I am, for I believe that democracy spells peace.

If the Republic of Russia really has been set up on a firm foundation, if the people of that country are to have a real voice in disposing of their own lives and fortunes, the "Bear that walks like a man" will cease to be a menace to Europe.

Already the republicans of Russia have spoken a sympathetic word to the Poles in whom a century of oppression has not stifled

the hope of independence. For the first time since the Grand Duchy of Finland fell victim to the rapacity of the Romanoffs, there is a sympathetic feeling in Helsingfors for what is being done in Petrograd.

I do not sympathize with the suggestion that the Russians should not try for a republic, that they are not yet ripe for such complete freedom. It may be that all the people in the world are not yet sufficiently advanced for self-government, but all are advanced beyond the need of despotism, all are entitled to have a try at free representative government. It is better to have democracy with occasional disorder than autocracy with unremitting oppression.

#### EVIL CONSEQUENCES OF WAR

The wars that are begotten by huge military preparations put all sorts of financial and social burdens on the people. Modern wars, these huge scientific, mechanical wars, mean bankruptcy to nations that engage in them. They postpone indefinitely projects for the social betterment of the people. They mean inferior houses for the family, less vigorous children, thus passing on their miseries to the innocent unborn, inferior schools, undernourishing for women and children and the physically less fit men who have not been sent to the trenches. They mean increasing contributions from the earnings of labor to meet interest charges and to prepare for other wars that ambitious monarchs look forward to. They engender hatred between peoples that holds back civilization and prepares for other calamities, for be it remembered that "Wars still other wars do breed." They break friendly relations between neighbors in a country like ours where the citizens are contributions from all branches of the human family.

If we would not disturb the peace of the world with internal dissension we must be tolerant and patient. Good American citizens who were "Saxon and Norman and Dane," Teuton, Kelt or Frank, each with a lingering interest in, and affection for, the country of his origin live side by side in our republic. Their diverse origin makes it more difficult to keep the peace than among an absolutely homogeneous people. The situation calls for a wide tolerance, for great wisdom and patience.

Suspicion of the loyalty of a citizen just because he was born in Germany, or is the son of a man who was born in Germany, is

unworthy the great republic and grossly unjust in nearly every case. By unjust suspicions and persecution men of spirit who are loyal may be made rebellious in time. All citizens have a right to be judged by their previous conduct and character. Suspicion, sensationalism and intolerance are the worst features of the war psychology and we have it now in an exaggerated form.

In the American Revolution of 1776 there were many earnest supporters of the Colonies who were born in Great Britain. Many sons of Englishmen, Scotchmen and Irishmen whose relatives in the old country wore the uniform of King George followed Washington from the beginning in Massachusetts to the ending at Yorktown. We have monuments to the memory of von Steuben, Kosciusko and Lafayette all in one small square in Washington. I do not doubt for a moment that in the war with Germany many German-born men and their sons will loyally and effectively support the American republic and they ought not to be insulted by unjust suspicion or worried by the unthinking who show their patriotism in violence. Let us try to protect them from a suspicion that is so frequently insulting, and from the nagging and annoyance that espionage bills and such un-American legislation will make possible.

We must live with these people after the war and it will contribute to the cause of internal and external peace if we will remember their embarrassing situation and treat them as Americans should be treated.

May I, in closing, quote two or three sentences from the great speech made in London recently by the great, little Welshman, now the real head of the British government? Take these words of David Lloyd George home with you:

I am the last man in the world to say that the succor which is given from America is not in itself something to rejoice at greatly. But I also say that I can see more in the knowledge that America is going to win a right to sit at a conference table when the terms of peace are discussed. That conference will settle the destiny of nations and the course of human life for God knows how many ages. It would have been a tragedy, a tragedy for mankind, if America had not been heard there and with all her influence and her power.

I can see peace, not a peace to be a beginning of war, not a peace which will be an endless preparation for strife and bloodshed, but a real peace. Europe has always lived under the menace of the sword. When this war began two thirds of Europe was under autocratic rule. Now it is the other way about and democracy means peace.

Many strange things have happened in this war, aye, and stranger things will come and are coming rapidly. Six weeks ago Russia was an autocracy. She now is one of the most advanced democracies in the world.

Today we are waging the most devastating war the world has ever seen. Tomorrow, tomorrow, not perhaps distant tomorrows, war may be abolished forever from the category of human crimes.

### THE MONROE DOCTRINE AND THE AMERICAN POLICY OF ISOLATION IN RELATION TO A JUST AND DURABLE PEACE

BY JOHN H. LATANÉ, PH.D., LL.D.,

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During the one hundred years following the treaty of Ghent the United States engaged in two foreign wars: the Mexican War, which lasted from May 13, 1846, to February 2, 1848, and the Spanish War, which lasted from April 21 to August 12, 1898. The combined length of these two wars was a few days over two years. During the same period the entire American continent was singularly free from wars of importance or of long duration, either between American states or between American and European states. No other part of the world can show a record at all comparable to this. If, therefore, we are in search of bases for a just and durable peace, we should examine the public policies of America rather than of Europe.

During this century of comparative peace with other nations the foreign policy of the United States has been guided by two great principles, the Monroe Doctrine and the policy of political isolation or the avoidance of entangling alliances. The Monroe Doctrine is a guarantee of the *status quo*, the only principle on which the peace of the world can securely rest. The policy of isolation means the absence in time of peace of alliances which have been a necessary condition to all great wars. If there had been no European alliance in July, 1914, and if the several countries, free from the obligations which such alliances impose, had been able to choose the course dictated by their highest interests, does any one believe that there would have been a world war? Is it going too far to assert that the



future peace of the world depends upon a world-wide acceptance of these two American principles: no disturbance of the *status quo* by any one state or group of states for selfish ends, and no permanent alliances between states or groups of states? So far, therefore, from abandoning the Monroe Doctrine and our historic policy of avoiding entangling alliances, President Wilson proposed in his address to the Senate on January 22, 1917, that these two American policies should be internationalized and given world-wide application. In holding out the expectation that the United States would join the other civilized nations of the world in guaranteeing a permanent peace he said:

I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world: that no nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

I am proposing that all nations henceforth avoid entangling alliances which would draw them into competitions of power, catch them in a net of intrigue and selfish rivalry, and disturb their own affairs with influences intruded from without. There is no entangling alliance in a concert of power. When all unite to act in the same sense and with the same purpose all act in the common interest and are free to live their own lives under a common protection.

The President has here stated, it seems to me, the two essential principles on which the future peace of the world must rest. He has clothed them in American habiliments so as to avoid the appearance of breaking too violently with the traditions of the past. Nevertheless the attempt to internationalize these two principles of our foreign policy involves the risk of sacrificing them altogether, and many Americans will undoubtedly oppose what will be considered an idealistic effort to extend to the rest of the world the benefits of a policy which hitherto we have enjoyed exclusively.

On the contrary I am convinced as the result of the changes of the last twenty years that the time is at hand when we must either abandon the Monroe Doctrine altogether, or resort to an alliance to maintain it, or to some form of world federation to extend it. For nearly a century we have upheld without an army, and until recently without a large navy, a policy which has been described as an impertinence to Latin America and a standing defiance to Europe. Has the Monroe Doctrine rested on moral force alone, or, if not, by what magic have we defended it so effectively against

all the world without the exercise of physical force? Few Americans have ever considered this question. Notwithstanding the many discussions of the Monroe Doctrine that we have had in recent years, this phase of the subject has been largely neglected. As a matter of fact the maintenance of the Monroe Doctrine in the past has been due not to our own might, but wholly to the balance of power in Europe. Some European power would long ago have come in and called our bluff, that is, made us give up the doctrine or fight for it, had it not been for the well-grounded fear that some other European power would start an attack in the rear. Every time that the Monroe Doctrine has been called in question conditions outside of America have determined the issue. Let us review briefly some of these instances.

In the first place, the original declaration of President Monroe would have had little effect, but for the known attitude of England and the strength of her navy. The international situation at that time was a very interesting one. When Napoleon overthrew the Spanish monarchy in 1808 and placed his brother Joseph on the throne, the colonies of Spain refused to recognize the new sovereign and, as the combined fleets of France and Spain had been destroyed by Nelson at the Battle of Trafalgar in 1805, Napoleon and Joseph were unable to extend their authority over Spanish America. The Spanish colonies thus drifted into independence in spite of themselves. Released from an unreasonable and oppressive colonial system they set up provisional governments, and immediately threw their ports open to English and American vessels. An extensive trade soon sprang up, and with English and American goods came English and American ideas. Spain's colonies thus passed through a period of enlightenment which shaped their future action. When, after the overthrow of Napoleon, their lawful sovereign Ferdinand VII was restored to his throne, he failed to realize the changes that had taken place and undertook to refasten on the colonies the old colonial system and to shut out all foreign commerce. The colonies naturally resisted and thus began the war of independence. By 1822 Spanish authority had been everywhere overthrown, and the United States formally recognized the independence of the Spanish-American republics.

Meanwhile the powers of Europe had held a series of congresses, beginning with that of Vienna, for the purpose of undoing

the work of Napoleon, restoring as far as possible the old order, and suppressing new attempts at revolution in Piedmont, Naples and Spain. At Verona in 1822 they decided to send a French army into Spain for the purpose of suppressing the new constitution and restoring Ferdinand to absolute power. Against this intervention in the internal affairs of Spain, Wellington, who represented England at the conference, protested, and when his protest was not heeded he formally withdrew. This marked the final withdrawal of England from the grand alliance which had overthrown Napoleon. The British government considered the question of opposing by force the French invasion of Spain, but finally decided not to act. By the summer of 1823 the Spanish constitutionalists were overthrown and Ferdinand was restored to absolute power. Absolutism reigned once more in western Europe.

The reactionary powers, which constituted the so-called Holy Alliance, felt, however, that their work was incomplete so long as Spain's colonies remained unsubdued. They decided, therefore, to hold a conference in Paris to consider the question of assisting Spain to recover her revolted provinces. It was at this crisis that George Canning, the British foreign secretary, called into conference Dr. Richard Rush, the American minister at London, and proposed that England and the United States form an alliance to prevent the proposed intervention of the Holy Allies in Spanish America. England's interest in the matter was mainly commercial; ours mainly political. After mature deliberation President Monroe and his cabinet wisely decided that, in view of the fact that the attitude of England was known to the powers of Europe, an independent declaration on the part of the United States would have all the effect of an alliance without any of its embarrassing features. He, therefore, delivered in his annual message to Congress a broadside declaration against European intervention in America, which did not except even England. Canning was much chagrined. He had proposed an Anglo-American alliance, and in reply the United States made a declaration which he had the foresight to see might be used against England itself in the future. Furthermore the attitude of the British government was known only to the chancelleries of Europe, while Monroe's declaration was made to the world at large. When, therefore, the European powers dropped the project of intervention in America the United States got all the

credit. A few months later England formally recognized the independence of the Spanish-American republics, and Canning made his famous boast on the floor of the House of Commons that he had "called the new world into existence to redress the balance of the old."

The most serious strain to which the Monroe Doctrine was ever subjected was the attempt of Louis Napoleon during the American Civil War to establish the empire of Maximilian in Mexico under French auspices. He was clever enough to induce England and Spain to go in with him in 1861 for the avowed purpose of collecting the claims of their subjects against the government of Mexico. Before the joint intervention had gone very far, however, these two powers became convinced that Napoleon had ulterior designs and withdrew their forces. Napoleon's Mexican venture was deliberately calculated on the success of the Southern Confederacy. Hence, his friendly relations with the Confederate commissioners and the talk of an alliance between the Confederacy and Maximilian backed by the power of France. Against each successive step taken by France in Mexico, Mr. Seward, Lincoln's secretary of state, protested. As the Civil War drew to a successful conclusion his protests became more and more emphatic. Finally, in the spring of 1866, the United States government began massing troops on the Mexican border and Mr. Seward sent what was practically an ultimatum to the French Emperor; he requested to know when the long promised withdrawal of the French troops would take place. Napoleon replied, fixing the dates for their withdrawal in three separate detachments.

American historians have usually attributed Napoleon's backdown to Seward's diplomacy supported by the military power of the United States, which was, of course, greater at that time than at any other time in our history. All this undoubtedly had its effect on Napoleon's mind, but I am convinced that conditions in Europe just at that particular moment had an even greater influence in causing him to abandon his Mexican scheme. Within a few days of the receipt of Seward's ultimatum Napoleon was informed of Bismarck's determination to force a war with Austria over the Schleswig-Holstein controversy. Napoleon realized that the territorial aggrandizement of Prussia, without any corresponding gains by France, would be a serious blow to his prestige and in fact

endanger his throne. He at once entered upon a long and hazardous diplomatic game in which Bismarck outplayed him and eventually forced him into war. In order to have a free hand to meet the European situation he decided to yield to the American demands. As the European situation developed he decided to withdraw his troops before the dates agreed upon and to leave Maximilian to his fate. Thus the Monroe Doctrine was vindicated!

Let us take next President Cleveland's intervention in the Venezuelan boundary dispute. Here surely was a clear and spectacular vindication of the Monroe Doctrine which no one can discount. Let us briefly examine the facts. Some 30,000 square miles of territory on the border of Venezuela and British Guiana were in dispute. Venezuela, a weak and helpless state, had offered to submit the question to arbitration. Great Britain, powerful and overbearing, refused. After a long correspondence, ably conducted by Secretary Olney, had failed to move the British government, President Cleveland decided to intervene. In a message to Congress in December, 1896, President Cleveland reviewed the controversy at length, declared that the acquisition of territory in America on the part of a European power through the arbitrary advance of a boundary line was a clear violation of the Monroe Doctrine, and asked Congress for an appropriation to pay the expenses of a commission which he proposed to appoint for the purpose of determining the true boundary, which he said it would then be our duty to uphold. Lest there should be any misunderstanding as to his intentions he solemnly added: "In making these recommendations I am fully alive to the responsibility incurred and keenly realize all the consequences that may follow." Congress promptly voted the appropriation.

Here was a bold and unqualified defiance of England. No one before had ever trod so roughly on the British lion's tail with impunity. The English-speaking public on both sides of the Atlantic was stunned and amazed. Outside of diplomatic circles few persons were aware that any subject of controversy between the two countries existed, and no one had any idea that it was of a serious nature. Suddenly the two nations found themselves on the point of war. After the first outburst of indignation, the storm passed; and before the American boundary commission could make its report England signed an arbitration agreement with Venezuela. Some persons

after looking in vain for an explanation have concluded that Lord Salisbury's failure to deal more seriously with Mr. Cleveland's affront to the British government was due to his sense of humor.

But here again the true explanation is to be found in events that were happening in other quarters of the globe. Cleveland's Venezuelan message was sent to Congress on December 17. At the end of the year came Dr. Jameson's raid into the Transvaal and on the third of January the German Kaiser sent his famous telegram of congratulation to Paul Kruger. The wrath of England was suddenly diverted from America to Germany, and Lord Salisbury avoided a rupture with the United States over a matter which after all was not of such serious moment to England in order to be free to deal with a question involving much greater interests in South Africa. The Monroe Doctrine was none the less effectively vindicated.

In 1902 Germany made a carefully planned and determined effort to test out the Monroe Doctrine and see whether we would fight for it. You will remember that in that year Germany, England, and Italy made a naval demonstration against Venezuela for the purpose of forcing her to recognize as valid certain claims of their citizens. How England was led into the trap is still a mystery, but the Kaiser thought that he had her fixed, that if England once started in with him she could not turn against him. But he had evidently not profited by the experience of Napoleon III in 1861. Through the mediation of Herbert Bowen, the American minister, Venezuela agreed to recognize in principle the claims of the foreign powers and to arbitrate the amount. England and Italy accepted this offer and withdrew their squadrons. Germany, however, remained for a time obdurate. This much was known at the time.

A rather sensational account of what followed next has recently been made public in Thayer's *Life and Letters of John Hay*. Into the merits of the controversy that arose over Thayer's statement of the Roosevelt-Holleben interview it is not necessary to enter. The significant fact, that Germany withdrew from Venezuela under pressure, is, I am satisfied, established. Admiral Dewey stated publicly that the entire American fleet was assembled at the time under his command in Porto Rican waters ready to move at a moment's notice. Why did Germany back down from her position? Her navy was supposed to be at least as powerful as ours. The reason why the Kaiser concluded not to measure strength with

the United States was that England had accepted arbitration and withdrawn her support and he did not dare attack the United States with the British navy in his rear. Again the nicely adjusted European balance prevented the Monroe Doctrine from being put to the test of actual war.

It must be abundantly evident to all that our historic policy of isolation has been rendered possible only by the existence of the balance of power in Europe. We have never been too weak to tip the scales. But in recent years a new element has entered into the international situation and that element is the naval and military power of Japan. Formerly we had the European balance *plus* the United States. Recently we have had the European balance *plus* the United States *plus* Japan. Scarcely had the United States acquired Hawaii and the Philippines and committed itself to the open door policy in China when Japan emerged victorious from the war with Russia as a full-fledged world power ready to contest with us supremacy in the Pacific. American diplomacy, hitherto limited in its aims to the American continent, was suddenly confronted with complex problems which were world-wide in their ramifications. The Anglo-Japanese alliance has been in effect a guarantee of peace between Japan and the United States, for England would never consent to back Japan in a war with us. But the Anglo-Japanese alliance appears to be doomed. Japan and Russia have recently formed an alliance, the exact terms of which have not been made public, but which undoubtedly aims at the further exploitation of Manchuria and the defeat of the open door policy in a large part of China. If the new Russo-Japanese alliance supplants the older alliance with England, as now seems likely, our position in the Pacific will be very seriously weakened. The Japanese shift from England to Russia will naturally force England and the United States into closer accord. How far the Russian revolution will weaken the Russo-Japanese alliance cannot yet be foreseen.

If the old system of alliances and balances of power is to prevail after the war, we shall have not a revival of the old European balance, but a new world balance, England, France, and the United States forming the basis of one group, Russia and Japan of the other, with Germany for the time being isolated, like France after the overthrow of Napoleon. Such a condition would mean the indefinite continuance of large armaments, secret diplomacy, and endless

intrigue. The only other possibility is that before the war ends Germany will weld the opposing powers into such a firm league that peace will not dissolve it but rather transform it into some form of permanent world federation. This is the hope of mankind, and the more closely we ally ourselves with England, France, and democratic Russia, the more surely will this dream of a federation of the world become a reality.

It is useless to advocate a strict adherence to the traditions of the fathers. The old order has already passed away, though some of our representatives in the halls of Congress are reluctant to recognize the fact. The United States stands already committed to world-wide democracy and internationalism. Hitherto we have stood defensively for these principles and we have been willing to fight for them only in America. We are now to fight for their universal recognition. President Monroe's declaration in favor of guaranteeing to free states the right of self-development will be given a world-wide application, and the American policy of avoiding entangling alliances will become the cornerstone of the new league. On no other basis can we go into a league to enforce peace. We must not be the buffer between alliances and ententes. The other states must go into the league on the same basis that we go in on, that is, without any treaty obligations to any other power or group of powers within the league. Both the Articles of Confederation and the Constitution of the United States provided that no state should enter into any alliances. The adoption by all the great powers of the American policy of isolation should be the first step toward a League to Enforce Peace or any sort of world-confederation.

We may not at first be able to prevent ententes, but we can and should prohibit alliances. The alliance has always been the chief weapon of autocracy. Democracies are going to decide issues as they arise on their merits and not tie their hands in advance. No government can take away from a democracy its right in an emergency to declare for war or peace. Even the British government in July, 1914, could give no definite guarantees as to what course England would pursue in the event of war between Germany and France.

After the war, then, our choice lies between a world balance of power based on two great alliances, in one of which we must take our place, or some form of world confederation; in other words,



between *two* leagues or *one*. Can any one have any doubt as to which system is preferable? The one means militarism and the economic burden of even larger armaments than the world has yet seen; the other means international democracy, responsible diplomacy, and, eventually, a just and durable peace.

## TWO EVENTS THAT PRESAGE A DURABLE PEACE

BY OSCAR S. STRAUS,

Chairman, Public Service Commission, New York.

One naturally asks: Why discuss the problems of a durable peace at this stage? Why draw plans for the rebuilding of the international household when the fire is still burning, and we do not quite yet know how extensive the devastation will be?

Such a discussion has great value, none the less, because it educates our own mind. It educates the minds of the American people. It prepares us for that larger world view which we must have in order to take our proper share in the reconstruction of the world. As the President has said, with such great wisdom, we are willing to contribute the Monroe Doctrine to this world reconstruction in order that there may be an international Monroe Doctrine.

To do that, we need to enlarge our views, we need education in this country for international mindedness. Most of us, I think, have changed our views considerably since this war began. Many of our wise pacifists have developed into belligerent pacifists. I confess I belong to that school myself. Before this war began, the proposition presented itself in the glaring phrase, "Utopia or hell!" Can you blame us for choosing Utopia? We did not realize that we had to wade through the jaws of hell to reach Utopia. America is ready to march through hell to secure democratic freedom and the permanent peace of the-world, founded upon law and justice.

When the German Chancellor sought to justify the invasion of Belgium by characterizing the solemn international engagement for the neutralization of Belgium as a "scrap of paper," the phrase was new and expressive but the act itself was old. It was a glaring and concrete translation of the Machiavellian doctrine of state, which some of the leading German philosophers and militarists, notably Treitschke and Bernhardi, had been preaching for a generation, that might makes right and that when the highest interests

of a state, as interpreted by *itself*, came in conflict with the accepted principles of international right, that those interests must prevail, thus making of international right a "scrap of paper."

The Berlin Congress of 1878, which met after the Turko-Russian War to prevent the threatening European War, was attended by the foremost statesmen of the great powers to adjust international differences and to create new Balkan states out of principalities under the suzerainty of the Ottoman Empire. The condition upon which these new states were constituted and recognized—notably Rumania, Bulgaria, and Serbia—was that under the new governments these states should grant to all of their inhabitants equality of rights, civil and religious.

The ink upon the charter which transformed the principalities of Wallachia and Moldavia into the independent state of Rumania was scarcely dry when that kingdom violated the basic conditions of its foundation by not only denying equal rights to her Jewish population, but by oppressing them in body and soul under the most cruel and barbaric restrictions, so that thousands of them were forced to flee and many of them sought refuge in this and other countries. Other violations soon followed. Bulgaria attached to herself eastern Rumelia. A few years later Austria ruthlessly violated the Treaty of Berlin by annexing Bosnia and Herzegovina. This violation directly resulted in the tragedy at Serajevo when the Crown Prince and Princess of Austria were murdered. Out of this last violation the "scraps of paper" which tore up the Berlin Treaty lit the flame that directly produced this world war.

Prussian militarism on its side made a "scrap of paper" of her most solemn international engagements and caused the march of the mighty armies of Germany through Belgium, working havoc and ruin, violating every principle not only of peace but of war. Civilization was stunned and the allied nations, unprepared as they were, were compelled to come to the rescue.

Our country was slow and unwilling to believe that a people so enlightened as the Germans, who were in the vanguard in science and culture, would justify this violation and cruel breach of international faith on the part of their rulers and their militaristic establishment. But, alas, it soon became evident that the philosophies of their Treitschkes and Bernhardis, which had dethroned righteousness and justice, had eaten into the hearts and corrupted the

souls of the dominant classes in Germany. The American people, thoroughly imbued with the ideals of the fathers of our republic and with the doctrine of Monroe defining our continental policy, to hold aloof from the affairs of European states, were slow to recognize the real issues of the war, which involve the basic principles of civilization and the existence of free government throughout the world. When Germany began her submarine blockade and sunk the *Lusitania* and scores of other merchant ships, we were at last compelled to recognize that our rights and the rights of other neutral nations on land and sea, which had been built up through the process of ages by the gradual advance of civilization, were with shocking ruthlessness and outrageousness being violated with increasing horror by Germany.

Our government was patient and long enduring. With every effort to maintain and safeguard our rights as a neutral nation, German frightfulness projected us into this war. President Wilson clearly and cogently set forth all of this in his memorable address to Congress in a state paper which will rank among the great documents of the history of civilization giving the reasons which forced America to take up arms to uphold civilization, to "spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured."

He further stated: "A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants." The President in this memorable passage expounds an historical and clarifying truth: why in the past the concerted efforts on the part of nations to maintain a durable peace have invariably failed.

I refer to these circumstances, so recently transpired and which are fresh in our minds, in order to call more specific attention to the problems of a durable peace. Those problems have been not only exposed but clarified by the two important events which have within the past few weeks taken place; namely, the dethronement of Czarism with the establishment of free government in Russia, and the entrance of the United States into the world war to uphold free government.

Autocracies are necessarily militaristic. They have their birth in might and are maintained by might. Democracies have

their birth to secure equality of rights and therefore must rest on justice. With the success of the Allies it is not only fair to presume, but most probable, that there will be no menacing autocratic powers after the termination of the present war. The democratic nations will be preponderant and they will have learned the lesson to be vigilant, so that for the first time in history the leading powers of the world being democratic will be privileged to enter into a partnership that will give security, under a league of democracies, for the perpetuation of freedom and the equal rights of all its constituents, great and small. Under the domination of autocratic nations the international relationship of the world was in an anarchistic state. But under the league of democratic nations the international relationship of the world can and doubtless will be secured upon the broad and lasting foundation of international justice.

## A BASIS FOR A DURABLE PEACE BETWEEN GERMANY AND ENGLAND

BY WILLIAM C. BULLITT,  
Philadelphia.

I shall not attempt to deal with the problems of durable peace in general but shall try to concentrate attention on one of those zones of hostility and hatred in which a conflagration is likely to arise and to wreck a durable peace after it has apparently been made.

There are, of course, many such zones in the world. There is the zone in the Pacific where the interests of the United States and Japan conflict. There is the zone in the Balkans where the interests of Russia and Austria conflict; but I wish to call your attention to the zone in the North Sea, where the hatred of Germany and England concentrates. And I shall try to explain the source of that hatred and a method by which it may be eliminated.

I do not think that the hostility of Germany and England springs primarily from commercial and industrial rivalry. I do not think that England's hatred of Germany springs primarily from her wrath at the violation of Belgium and the atrocities com-

mitted in Belgium and France. I do not think it springs from envy of the growth of Germany's power in the past decade. I do not think that Germany's hatred of England springs primarily from envy of the vast British Colonial Empire or from the belief which is widespread in Germany, unbelievable as it may seem on this side of the water, that England started and organized the present war.

None of these things, to my mind, is at the bottom of the hostility between Germany and England. It lies much deeper; in the thing which is usually at the bottom of a great hatred—fear. Fear on the part of Germany, that the British fleet will starve her to death; fear, on the part of England, that the German submarines will starve her to death.

How legitimate are these fears is shown vividly by the condition of affairs in both those countries today—Germany on the verge of starvation; England afraid that in six months, if the submarine campaign goes on, she will be on the verge of starvation. But these fears are not simply things of today. They are inherent in the economic life and geographical position of those two great industrial nations, cooped together in the same corner of Europe.

Germany, today, scarcely less than England, is dependent upon the sea for her life. She has ceased to produce enough food to support her people. She may be able to live through the present war with closed frontiers, but her agriculture has already been raised to a very high state of development. It is not susceptible of much greater development, and with her normal increase of population in ten years she will be utterly unable to live with closed frontiers. Her life will be in the gun muzzles of the British fleet. Moreover, she earns her livelihood largely by importing raw materials, turning them into finished products, and exporting the finished products, and for this entire process she must have security on the sea. Furthermore, the fear that she will be cut off by the British fleet from her supplies of food and raw products is kept constantly in front of her by the fact that every German ship that goes to the ocean must pass by the door of England. Her ships can reach the open ocean only by way of the Channel or the North Sea, which is in truth but another channel, varying from three to four hundred miles in width, which can be controlled almost as easily by the fleet based on the Orkneys as the Channel is controlled by the fleet based on Portsmouth.

I don't think you can realize unless you have gone to bed hungry in Berlin during the war, how intensely every class in Germany, from the top of the Foreign Office to the end of the minority Socialist party, is determined that in some way there must come out of this war something which will eliminate the danger of being cut off from overseas supplies.

The German Conservatives have their solution. They say, "All we have to do is to build a bigger fleet than England or simply destroy England altogether." Fortunately, that is more easily dreamed than accomplished. For until England is willing to commit suicide, she will retain her present naval supremacy. She lives partly on her banking, to be sure, but vitally on the earnings of her shipping, on her imports of raw products, on her exports of finished products. Furthermore, her relationship with her colonies imposes on her the obligation of defending them, and this she accomplishes, not by maintaining fleets in their waters, but by a concentration of force in the North Sea, which is at once the base of defense and attack for the whole world.

But this very supremacy in the North Sea, which England must maintain, means a perpetual latent control of German commerce. This is the vicious circle of fear which produces the hatred and enmity between England and Germany. So long as the fleets of each threaten the merchantmen of the other, so long will there be fear and hatred and war between them.

The President of the United States perceived this a long time ago, and in January, 1915, in order to attempt to reconcile Germany and England, he sent an emissary to both those countries to propose what I consider one of the wisest plans that has ever been put forward by the great man, for I believe he, who is our President, is a great man.

The emissary of the President was ordered to propose that Germany and England and all the other nations in the world should agree that even in time of war, all merchantmen, both belligerent and neutral, should be unhindered in their passage except when carrying contraband, and that contraband should be confined strictly to munitions of war. This would mean that even in time of war the merchantmen of England and Germany would come unhindered into port, that there would be no starvation of civilian populations, that there would be no threat of such starvation.

And I believe that it would mean that the fear which is at the bottom of the hostility between those nations would be eliminated and that in time, perhaps a decade or two, their mutual interest in the peaceful development of the undeveloped portions of the earth would lead to their coöperation and ultimately to their friendship.

The leaders of the German army and navy and of the Conservative parties met the President's proposal with a most emphatic "No!" They said, "We will not give up our great offensive weapon, the submarine, by which some day we shall be able to starve England into submission." But on the other hand, the Socialists, the Radicals, and Von Jagow, who was at that time the head of the Foreign Office, assented to the President's proposal. They said, "We are willing to agree to give up our weapon of offense if we can make sure that we shall never have to suffer again the food shortage which is sucking the blood of our children, our wives and our parents." And although these men are not in control of Germany today, there has been every indication in the past few months that they will be in control of Germany when the war closes, and I believe that in the peace conference Germany will stand firmly behind the President's proposal.

When the President's emissary reached England, he met almost exactly the same reception as in Germany. The Conservatives said, "No, never! We will never give up the means by which we killed Napoleon, by which we are killing Germany today. We will never give up the commercial blockade!" But the labor leaders, the Socialists, and particularly the group of Liberals led by Lord Loreburn, accepted the suggestion, and Sir Edward Grey himself was inclined very strongly in that direction. Then the sinking of the *Lusitania* killed all hope of immediate reconciliation between Germany and England; and the subsequent career of the President's proposal I have not time to trace.

But the fact is that when the peace conference comes, the President's proposal will again be pushed by the representative of the United States. And I believe that England can be brought to back this proposal, although the sentiment there today, I imagine, would be against it. I believe that she will accept it ultimately for the reason that the submarine in the next six months will bring home to her what it means to fear starvation, what it means to be afraid that not only yourself, but also your children and your parents will not have food.



Furthermore, it has come to be generally recognized in the British Foreign Office, that England has been able to carry out her blockade of Germany, not merely because of her fleet, but also because we have been willing to acquiesce in that blockade because we believe, on the whole, that her cause has been just and that her triumph will be to the interest of the whole world. Furthermore, England knows that the submarine is still a relatively undeveloped weapon, and that no one can tell how fatal to merchant shipping the super-submarine of the future may become.

I therefore believe, that if the President has the united support of America on this proposition, it will go through, particularly in view of a recent addition which the government has made to it. The addition is this: that although the right to stop merchantmen in time of war should be taken away from any individual state, it should be reserved to all the nations of the world acting collectively through the League to Enforce Peace. In other words, the league would carry the pistol which would be denied to any individual state. This addition will remove the chief objection of the British Conservatives; which is that the German army, if this plan should be adopted, would dictate the course of events in Europe; for the League to Enforce Peace would hold in its hands a counterpoise to balance the power of the German army.

It is, I believe, the duty of all Americans who are interested in a durable peace to back the President in this proposal, because I see no other way whereby the hatred between Germany and England can be abolished, and unless that hatred can be done away with, unless the roots of it can be cut, while the League to Enforce Peace may prolong peace, it will never establish a peace which can be considered durable.

Furthermore, if this proposal should be adopted, if the starvation of civilian populations should be taken out of war, a great step forward will have been made in the establishment of decent international *mores*. And after all, we are entering this war for one purpose and one only—that better international *mores* may be established on the earth.

## THE DISPOSITION OF CONSTANTINOPLE

BY TALCOTT WILLIAMS,

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Permanent and universal peace, for which the world yearns and today travails in agony, can only come with permanent and universal righteousness. The vexed questions of the hour can only reach a final settlement as they are settled in justice. The issues involved in Constantinople and its disposition are difficult. So far, in modern history, they have been insuperable, because they are involved in a larger issue which no nation, large or small, has yet been willing to face on any one definite principle, framed in justice and applied with impartiality. The question of Constantinople is not, fundamentally, the disposition of a city, but the disposition of two waterways connecting open seas.

On the open seas, the nations are agreed in demanding an equal freedom and equal security for neutrals, or were until the use of the submarine and the new application of the old doctrine of the continuous voyage, one by Germany and the other by Great Britain, have raised disputed questions. In peace and in war, however, international law and the nations are agreed on the general principle and constant policy which makes the open sea free to all, open to all, and protected by all, though the major share of their protection has been extended by the English and American navies. English justice has, to take modern times, hung more pirates than all the rest of the world put together. American courts come next. Both navies have together cleared the seas of piracy, and of claims like that of Spain to broad realms in the Spanish main. The ships of all lands have profited by their work.

On straits and ways from sea to sea, the world has no such agreements and no common concern or uniform principle. Once all straits were owned and held at a price for passage. Denmark claimed the Skagerack, and England the Channel with an assertion of supremacy over all the Seven Seas about the British Isles. Even a century ago, Barbary pirates held the Straits of Gibraltar, the heirs of long generations of ocean pirates from the red-flagged Phœnician traders 3,000 years ago, carrying on sail and prow the open

hand of Astarte. Her emblem survived to our own recent day in the marauding flags of the Mediterranean. It had its final western legacy in the death's head of the "Jolly Roger," for the mark of the Semitic goddess guarded both the dead and the living.

The Barbary pirate is gone after centuries in which his ravages were early recorded on Latin inscriptions on Spanish coasts and in Spanish towns in the days of the Antonines, and in the records of our own sea-faring churches on Cape Cod, and the New England coast at the close of the eighteenth century. The Dane no longer demands Danegeld and the English Channel had become as free as the oceans and seas about, until the submarine came to make or to mar international law as the wages of battle may at last decide. The control of the straits will remain undecided, and the peace of the waters will be limited and strained by their work and put to naught at every channel from sea to sea or from ocean to ocean, until the wise rule and principle is adopted that straits, natural or artificial, connecting seas must be as free to peaceful trade as the seas they join and as forefended to belligerents as any neutral ocean waters.

This principle will be a shock to many, particularly to the two nations, England and America, who first asserted and created the peace of the seas from Drake to Decatur and have, at the cost of more than one war, asserted neutral rights on the high seas in the presence of belligerent flags. None the less, to the principle that straits and connecting waterways should be free as the seas to the world's mercantile marine, and no more closed to belligerent flags than neutral harbors, the world's practice steadily tends. The Ottoman Empire, it is often forgotten, adopted this principle and practice when European governments were asserting proprietary rights over every strait and channel which joined the world's wide waters from sea to ocean. Before the end of the seventeenth century, the Sublime Porte laid down the doctrine that the Dardanelles and the Bosphorus should always be open to the merchantmen of all countries and always closed to the man-of-war of all ensigns. English, French and Russian mercantile flags were flapping and turning as the vessels that carried them were tacking in the narrow beats of these straits at the very time when the naval ensigns of these three lands were wiping out the last strong fleet of the Sultan in 1827 at Navarino, when the French were depriving the Ottoman

Empire of the territorial rights in Algeria and Russia crushing the last remnant of the Turkish fleet in Sinope in 1852, and so on, up and down in a period of three centuries, this immunity for mercantile flags survived in the Dardanelles and Bosphorus wide-spread hostilities, until these acts led to a declaration of war. At this, as at many other points of international practice, the Sublime Porte under a long succession of Sultans, in its days of triumph and of defeat from Mohammed the Conqueror (El Ghasi) to Mohammed V, in the twentieth century, has shown a forbearance, a wise tolerance, a readiness to give all creeds protection to which the lamentable and cruel massacres of one period and another, including our own, should not lead us to be blind in surveying the past or foreseeing the future.

This ancient principle was affirmed by England in the treaty negotiated by the dauntless Stratford de Radcliffe. Still in early manhood, in 1809, it was repeated by England, Austria and Prussia in the treaty of 1840, and France agreed to it in 1841. The wisdom of this practice was affirmed at every stage of this question in the Congress of Paris in 1856, the Convention of London in 1870, and in the Treaty of Berlin in 1878. At every stage since, up to the present war, this has been the accepted doctrine. But in war it has always silently disappeared as in the past. The freedom of straits has never anywhere rested on the same basis as the freedom of the seas.

The freedom of the seas has been secured, because there the interests of all states are equal. The freedom of straits has not been secured because in them, the interests of states are not equal. Each country has followed its self-interest. The world's leading straits are in the hands of England and America. England holds the two gates of the Mediterranean, Gibraltar and the Suez Canal. The United States holds the Panama Canal. Each country has talked the neutrality of other straits and acted and enacted control of its own. Gibraltar was seized July 24, 1704, by a *coup de main* when England had not declared war on Spain, though hostilities over the Spanish succession had begun in Flanders with France. The attacking fleet was English and Dutch, but Admiral Sir George Rooke hoisted the English flag above the Rock and there it has been ever since, controlling the navigation of the straits, never more completely than today. The Suez Canal began neutral in

peace and in war, belligerent ships being excluded. Arabi Pasha took these pledges at their face value and lost Egypt to the Egyptians, whose labor built the canal. The Sublime Porte tried to apply to it the "ancient principle," which had guided the policy of the Ottoman Empire in the two water-ways indispensable to the safety of the Turkish capital; but the first breath of war destroyed guarantees signed and sealed, not on one but several "scraps of paper."

The Panama Canal began neutral. It is today under the complete control of the United States. No administration will permit any other disposition in the present posture of the world's governance. It is fortified. It will be defended against all comers. All vessels pay the same dues but they are not under the same rights and they never will be, while international rights have no protection by land or by sea but force.

England and the United States have each an immediate and direct interest—one in Gibraltar and Suez, and the other in Panama, greater than any other land, one by its tonnage, and Indian empire, and the other by its territory, its trade and its twin coasts connected by the rift in the American Isthmus. Each is powerful enough to enforce this right against all comers. Neither will yield either strait. But as long as these straits are so held, no country dependent on a strait will be satisfied or can be satisfied by any control, short of that which broods an ever present power, at Gibraltar, Suez, and Panama. The instant that power weakens, some other flag will fly over each strait.

Unfortunately, instead of being early claimed by one strong power with special and particular rights, the Dardanelles and Bosphorous are equally needed by two strong powers and are necessary to the very existence of the empire which has so long held them. Neither Russia nor the Teuton alliance can treat as negligible the control of these straits. If the Mississippi flowed not into a gulf, but a closed sea, whose exits were the Panama Canal into the Pacific, and the Windward Passage into the Atlantic, we would never trust the key of either in the hands of any power, weak or strong. The straits which separate Europe and Asia are the real mouths of the Danube on one side, and on the other of the Dneiper, the Don and the Volga, connected with the Don by the canal from Kamgskin to Rasponiskata.

If Turkey has remained in its present control of this access to the mouths of these streams, through the Black Sea, it is because neither Russia nor its Teuton neighbors were strong enough to seize these straits against United Europe. They cannot today. Neither will ever be satisfied with the other.

These two powers are evenly matched as to each other. They have the same conflict as to landways as to waterways. Neither Russia nor the Teutonic powers can leave the control of the one practicable railroad across the Balkans from Belgrade to Salonica to chance. They can no more permit a weak power like Serbia to control one end of this rail route to the Aegean, to the Suez Canal, and to the world's commerce, or another weak power like Greece to control the other end at Salonica, any more than we could permit a weak power like Venezuela to hold the key to our ocean door. No strong power can safely permit this, if it can help itself, and no strong power will if it can do better, as witness the eligible vantage sites occupied by England.

The question of Constantinople is really the question, therefore, not of an ancient city or even of an imperial capital. It is the question of adjusting and securing freedom of access for a population of 260,000,000 in the Teutonic Alliance, Russia and the Balkan States by railroad lines and two straits, to the Mediterranean and the commerce of the world.

The states in our Union are by every possible measure far more homogeneous than the group of lands, tongues and races which need and must have free impartial passage over these lands and water-ways to the South. But for the general authority over foreign and interstate commerce by land and water possessed by the federal government, our own states would have plundered each other whenever one of them had control of any eligible land or water route. New York and New Jersey both levied tribute on passenger and freight traffic two generations ago, one by the head tax on the Camden and Amboy, and the other by rates on the Erie Canal, rates which paid off the capital cost of the water-way in about 40 years, with interest.

Russia, Germany, Austria, Hungary and the Balkan States cannot possibly trust each other with the control of these great arteries of commerce summed in the Constantinople question. It is today impracticable to create any joint authority to regulate interstate

commerce in this area, though the Danube Commission is a step in this direction, and the treaty agreements as to the Balkan railways another. It was a difficult task for us to provide in our constitution for the distant regulation of commerce for a people, speaking one tongue, and a majority of one common origin. The solution of such a problem in East Europe has been beyond the political possibilities of the present and probably of the future. The Republic of Russia might accomplish this, if it dealt with republics in Germany, Austria and Hungary, but even Russia has only taken the first stage in the new Pilgrim's Progress to democracy, and the Slough of Despond may not be distant.

Were all the lands involved republics, a federation might come. In democracy, and in democracy alone lies the peaceful solution of the contentious problems of international affairs. What imperial governments at Berlin, Vienna, and Petrograd could never accomplish and could never be trusted to control or accomplish by the smaller kingdoms of the Balkans, could be done by federated states, with no ambition for conquest, and no motive for annexation. If the Germanic States were once united in a Federation of Germany in which the Prussian conquests of the past century recovered the autonomy once enjoyed by the Hanover and the rest; if the Slav and non-Slav States of the Balkans were federated, if the old integers of rapacious Russian conquest reappeared in a federated republic, these peaceful federations, German, Russian, Central Slav, South Slav and non-Slav, from Hungary to the Ottoman Republic, could control and regulate these landways and waterways, their railroads and the twin straits, on common and mutual principles protecting the commerce and safety of all. Today, this seems a mere dream; but it is both more probable and more possible than before the events of the past three years. Empires can never be trusted. Federated republics by their nature and organization are peaceful and loyal. At all events the inevitable choice is between one great "Central Europe," dominating all between the Baltic and the North Sea, and the Red Sea and the Persian Gulf, and a group of federated self-governing lands.

## JAPAN, AMERICA AND DURABLE PEACE

BY TOYOKICHI IYENAGA, PH.D.,

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The problems of a durable peace await, for their definite formulation and practical solution, the issue of the present war. If German militarism comes out victorious, peace dictated by it cannot be but temporary. If, on the other hand, the cause of justice and liberty be fully vindicated, the bitterest experiences and untold miseries the war has inflicted upon the world should teach the people thereof that the evil doctrine of "might over right" must forever be discarded, and some method devised to insure the stability of peace and safeguard the interest of humanity.

The world war, it seems to me, has already reached its last stage: a final decision cannot long be deferred. There was a time, I admit, when I entertained a doubt whether the European War would not end in a draw—in a peace without victory. When the policy and war measures adopted by the Entente Powers in the Balkans showed unmistakable signs of weakness, indecision and lack of cohesion, and in consequence the Allies were completely outmaneuvered and outfought in the vigorous well-managed campaigns prosecuted by the Central Powers, too much optimism regarding the decided triumph of the Allies' cause seemed unwarranted.

The first intimation that this temple of success reared by German arms could not long endure, but would sooner or later crumble to the ground by reason of the incompetence and blindness of German statesmanship, came to me through the publication of the now notorious Zimmermann note, which aimed to form a German-Japanese-Mexican Alliance to counteract the hostile measures of America. The monstrosity of that note was only equalled by its stupidity. As to Mexico, I am not in a position to know definitely her actual status or attitude; but for Japan I can assert most emphatically that the note is a sufficient warrant to judge how low German statesmanship has fallen, how utterly ignorant it is of Japan's history and aspirations. It completely ignores "the spirit of Japan," by whatever name described—the *Yamato-Damashi* or *Bushido*—which puts honor and loyalty foremost in the list of



virtues. A nation that holds honor dear to its heart will never turn traitor to its allies or without cause attack another nation with which it is on friendly terms.

Germany doubtless measured Japan by her own standard of international ethics. Let me illustrate what I mean: Following the conclusion of the Shimonoseki Treaty, when Germany, Russia and France formed a formidable coalition with the purpose of robbing Japan of the best fruits of her victory over China by forcing upon her the retrocession of the Liaotung Peninsula, Prince Ito, then Premier of Japan, exclaimed:

Germany, we shall never forgive! Russia looks upon us as a future rival in the Far East; France is, of course, her ally, and has important possessions and ancient interests in Eastern Asia. We can understand their action. But for Germany, which always professed genuine friendship and has no special interests in those regions, to join hands with them and stab us in the back—her intervention was odious and gratuitous.

The reason why Germany joined the coalition was before long revealed to the world by the seizure of Kiaochow.

In the same treacherous manner, moved by the same unholy motive, Germany thought Japan may be induced to play her foul game and checkmate the United States in the event of war between the two powers! And what was the ground upon which Germany built her hope for success of the infamous intrigue? Recently the German foreign minister had the audacity to declare in effect before the Reichstag that Japan has less antagonism toward Germany, though at war with her, than she has toward the United States. True, the Japanese have no antagonism toward the German people; rather do we admire their many worthy qualities and the valuable contributions they have made to science, philosophy and literature. It would also be idle to deny that Japan has certain grievances against the United States, which it would be befitting to the great American people to redress in conformity to the principles of justice and "the square deal" they have proclaimed to the world. These grievances are, however, of local origin and are capable of amicable settlement. To the United States as a nation, Japan has always professed genuine friendship. And this profession is no make-believe; it is true, honest, sincere. Manifestly German statesmanship was well-nigh bankrupt when it hatched such a preposterous plot as the Zimmermann note reveals.

And at last the death knell of German militarism was sounded when the American President and Congress resolved to enter the war! It is, indeed, beyond my comprehension how Germany could dare to challenge America to swell the ranks of her enemies. Have the great minds and statesmen who adorn the pages of German history left no heirs? Have the souls of Kant, of Goethe, of Bismarck, left the Fatherland as a condemnation of the horrible crimes Germans are today perpetrating on alien soils and the high seas? It was sheer madness for Germany to rouse the sleeping giant on this hemisphere and to let him mobilize the tremendous resources at his command in man power, money, credit and materials, for combatting the already hard-pressed foe. So far as the military situation in Europe goes, it may not be powerfully influenced, for a time, by the intervention of America, so that Germans can for a while dwell under the spell of their old illusion. But there is now no doubt as to which side of the belligerents will be final victor. When it is remembered that this war is so unlike other wars, that it is destined to be won on the farms, in the factories, the shipyards and the counting rooms, the overwhelming weight America brings will surely turn the scale to the side of the Allies.

The question that arises in our mind is, how long will be the time before Germany collapses? I make bold to say that it would be to the great advantage of Germany to sue for peace today and immediately stop this awful carnage and destruction before she has inflamed the American public by an hostile encounter. If she would now lay her cards upon the table and ask for lenient terms of settlement, her enemies would probably not be loath to grant them. In this respect the influence of America would doubtless be strongly exerted in Germany's favor. Were Germany so to act I could understand for the first time why she dragged the United States into this war.

The inertia of thought and action may, however, be too strong for Germany to take such a step before she has made another desperate move. The period of conflict then depends upon two contingencies—the result of submarine warfare and the decided stroke dealt by Germany upon Russia or separate peace with her. If both fail Germany is lost. We sincerely pray that the might of a newly born democracy of Russia will defeat the ambition of Germany. As to the submarine warfare, menacing as it is, the Allies will surely

find a way to combat it. The god of the U-boat seems to have so enslaved the German mind that it cannot see that his frightfulness will now be fully matched by American inventiveness, and that many times more tonnage than he can destroy will be forthcoming from the all-embracing lap of the American giant. Surely the days of German militarism are numbered.

As one of the Entente Powers, Japan of course hails with joy the entrance of America into their ranks. There is, however, a special reason for Japan welcoming America, for there are between the two countries striking resemblances in the geographical positions they occupy and the attitudes they assume toward the European War. Effects of the war have hitherto been the same in both countries. The duties and functions America and Japan should fulfill are also similar—patrolling the neighboring seas, supplying their Allies with munitions and food and subscribing to their loans. I know not whether America will send an expeditionary force to Europe, but it is certain that neither America nor Japan would be interested in the remaking of the map of Europe. Both are waging war to crush German militarism, not the German people, so that an enduring peace based upon justice and liberty may be secured for the good of all nations. Consequently, in the future peace conference, America and Japan are more than likely to join hands in every move they make, and to exert their influence in unison. Such coöperation will doubtless serve, to quote the words of the Japanese Emperor in his congratulatory message to President Wilson, "to cement and consecrate the lasting friendship of our two nations."

In concluding, I may be permitted to add that, so far as America and Japan are concerned, nothing is more important for the furtherance of the cause of harmony than to eradicate the root of trouble that lies between the two countries. The task is not a difficult one, if you have only the will to do it. For the issue is simple and not at all in conflict with the vital interests of America. Japan is not playing the rôle of a pure idealist, clamorous for the immediate realization of ideas that, however lofty and equitable, disregard the existing condition of the world we live in—a world far unlike the "Kingdom of Heaven." Therefore, it should be definitely understood that Japan does not want to force upon the American people unrestricted immigration of her subjects. The "Gentlemen's Agreement" of 1907 stands intact and conforms to

your wishes. What Japan asks is simply just and fair treatment to a small number of Japanese subjects residing in this country, in other words, the full recognition of their equality with people of other nationalities. Such recognition of equality, political and social, is denied to Japan, to speak frankly, so long as her subjects are discriminated against and cannot enjoy rights and privileges accorded to other aliens. It would be far from your thought, I hope, to begrudge Japan, now in the front rank of nations, full recognition of equality in America. Once this premise is granted, the logical conclusion that follows must be courageously faced, namely, that any discriminatory law or measure running counter to the principles of justice and fairness should be rectified or nullified. Pray do not misunderstand me. I am not insisting upon the repeal of the Anti-Alien Land Act. I am simply advocating that the same principles of justice, equality and liberty, for whose defense you have not hesitated even to risk the hazard of this war, should be put into effect in the relation between America and Japan as in all international relations. .

There may be many ways to accomplish the purpose. American resourcefulness, which is unbounded, is certainly equal to the task of finding the means. The trouble lies in the fact that the American people are not yet fully convinced of the vital importance of doing it. So long as this work remains undone, I must state with your permission what I consider to be the plain truth, much as I regret to say it, that the problems of a durable peace between America and Japan will not have received their definite and final solution. Consequently, while Japanese must do all in their power to make the work easy for you, at the same time I appeal to you most earnestly and sincerely to lend your powerful influence for the attainment of the object, so that the relations between our beloved countries may rest on the solid and safe rock of lasting friendship.

## FOUNDATIONS FOR A DURABLE PEACE BETWEEN THE UNITED STATES AND JAPAN

BY HANS VON KALTENBORN,

Assistant Managing Editor of *The Brooklyn Daily Eagle*.

I am going to present a point of view on the relations between America and Japan somewhat different from that presented by Dr. Iyenaga.<sup>1</sup> In every discussion by Japanese of this problem, they declare that it is a local issue peculiar to this or that state which may happen to be passing anti-alien land legislation. And yet the character of their demands will show that the issue is far more fundamental, that it cannot be exclusively related to the legislation of any one state or any half-dozen states in our Union (for there are half a dozen which have passed anti-alien land legislation similar to that of California); that it is, on the contrary, a fundamental problem of racial equality.

Let us, therefore, put out of our minds once and for all, the notion that this discrimination against the Japanese is an arbitrary discrimination practised by wilful individual units of our federal system. The problem confronting the United States and Japan is a fundamental problem of equality, and that problem has its origin in the citizenship law of the United States,<sup>2</sup> which has been on our statute books for many generations. This law provides that no member of the brown or yellow race can obtain citizenship in this country, and hence makes impossible political equality for Japanese residents.

If we desire to remove that discrimination—and I am not at all sure that in the course of time we may not desire to remove it—that is one thing, but let us not forget that this discrimination applies to 800,000,000 people and not exclusively to the Japanese. It is the federal naturalization law which declares that the right to become naturalized applies only to aliens being free white persons, and to aliens of African nativity, and to persons of African descent, and thereby makes it impossible for any state to grant political equality to the yellow or the brown races.

<sup>1</sup> See page 124.

<sup>2</sup> *Revised U. S. Statutes*, Section 2169.

With this much established, let me go a little further and try to point out how we can best approach this problem at the conclusion of the war when we shall confront the opportunity of creating a durable peace. We must approach it, now that we are allied with all the white peoples whose lands border the Pacific, in full coöperation with these peoples. We must join with them as well as with Japan and the representatives of other elements of the brown and of the yellow races, at the great peace conference. There we must all work together to find the definite solution of this problem, because it is not a local problem peculiar to a state; it is not a local problem peculiar to the United States and Japan; it is a problem which has caused serious difficulty and serious thought, aye, and serious disturbance in every white country which borders the Pacific. We are going to get a false perspective on this issue if we fail to remember that it is an acute issue in British Columbia, where there is worse discrimination against the Japanese than in the United States, for under the laws of Canada, British Columbia has naturalized natives of Japan and yet has refused to let them vote, a discrimination which has been upheld by the Privy Council in London. In Australia we find that Japanese are not only unable to own land, but they are forbidden to enter the country. Even Japanese students and travelers who may come and go as they like in the United States are not permitted to remain in Australia over twelve months. South Africa, too, desires to keep out Asiatics and has taken steps to prevent their coming. Wherever white men predominate they have fought against Asiatic immigration.

Thus we face a problem that is not that of a state, nor that of the United States, but a problem as broad and as deep as the gulf which separates two races whose standards of living are far apart. Until we remove the economic aspect of the problem inherent in Japanese immigration to our Pacific Coast, we are not likely to find a solution which will satisfy Japan as well as the United States. Professor Tatabe, of the Tokio Imperial University, summed it all up in this one sentence: "Under the American standard of living two billion people can exist on earth, under the Japanese standard twenty-two billion." Until this economic difference can be compromised this Japanese question will continue to plague the white races of the earth.

Episodes in Japan's history make us feel that it is the honor of

*Japan* and loyalty to *Japan* which have been emphasized, and that a spirit of autocratic imperialism has sometimes dominated the sober sense of that nation. Therefore, let us hope that in Japan, too, those democratic elements now struggling for expression will triumph, and that those liberals who are, like Dr. Iyenaga, responsive to democratic ideals, may guide Japan's future course. Then, with the liberals of Japan and America coöperating, with the people of all the lands that border the Pacific working together to settle this issue as we are now fighting together for the same cause, let us hope that then we can at last settle this question in a way which shall make the foundation of an enduring peace.

## NATIONALITY AND FREEDOM OF COMMERCE PREREQUISITES TO A DURABLE PEACE

BY STEPHEN P. DUGGAN, PH.D.,

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The Balkan problem we have had with us for over a century. It was the occasion of the present war. It will be with us in the future unless a wise solution and a solution based upon proper principles of international reorganization is followed.

Now, what are those principles of international reorganization? As Professor Brown of Princeton<sup>1</sup> has stated there are three principles upon which such a reorganization must be based if the reorganization is to last: the recognition of the principle of nationality; the right of nations to their own free development without being dominated by other nations; and the right of a nation to freedom of commerce with the world's markets.

The reason why the Balkan problem has been with us for over a century and has presented itself as the powder magazine of Europe for the last fifty years is because every one of those principles has been violated. The Balkans have never been permitted freedom of development because of the rival antagonisms of the great powers of Europe. For a long time Great Britain felt that in order to make secure her passage to India and her commerce to the East, it was necessary that the Straits be in the control of Turkey, and for that

<sup>1</sup> See page 76.

reason, Turkish control over the other Balkan states was to be maintained and Turkish misrule continued. When, after the Arabi Pasha Rebellion in Egypt in 1880, England occupied Egypt and secured control of it and thereby safeguarded her route to India, her interest in the Balkan problem waned and her demand for the maintenance of the integrity of Turkey diminished.

The void was filled at once, almost, by another group of European powers, the Central Powers—Germany and Austria-Hungary. Germany came on the international stage as a great power quite late. Looking around for colonies into which to send her surplus products, she found most of the world taken up by other powers, but she saw that there was one region that remained comparatively unexploited. That was Asia Minor, and she determined that that was to be her "place in the sun." She must, therefore, take the place of Great Britain in dominating in Constantinople, and she took with her as her partner, Austria-Hungary. They divided up the field: Germany was to dominate in Constantinople and Asia Minor; Austria was to dominate in the Balkans. Germany did her job with efficiency. She did dominate in Constantinople and practically in Asia Minor. Austria bungled her job and only aroused increasing antagonism on the part of the Balkan nations against her.

Now, this suppression of all attempts on the part of the Balkan nations towards their own free development can only be overcome when those same Balkan nations understand that the confederation which they for one short year enjoyed and by means of which they presented a united front against any other power, should be reestablished. It may be said that that is the very thing that the Allies attempted to get the Balkan states to do at the opening of the war, to reestablish the Balkan Confederation and thereby prevent the union of Austria-Hungary and Germany with Turkey. But it must be remembered that the principles upon which the present situation in the Balkans is based were founded upon the Treaty of Bucharest which we signed at the end of the second Balkan War. That treaty violates the three principles pointed out above as the only principles upon which a true international reorganization can be based.

There is no reason, however, why those states should not confederate and present a united front. When they did in 1912, they



did it equitably. Before the first Balkan War, Serbia and Bulgaria came to an agreement and signed a treaty by means of which the only region in which there was a mixture of races, Macedonia, was divided fairly, Bulgaria getting the bigger portion. Why was that not carried out? Because again of the baleful influence of foreign domination, because Austria-Hungary was determined that Serbia should not get what she called her "window on the Adriatic," and by preventing her from doing that, compelled Serbia to look for compensation in Macedonia and to violate the agreement with Bulgaria.

Now if the nations are going to solve the problem in the Balkans at the end of the war, the principles mentioned already must be observed: the first of these is the principle of nationality. The two great principles of the French Revolution, democracy and nationality, are not yet in process of consummation because our political practice has always been about a century behind our political theory. Despite the teachings of history that you cannot suppress nations unless they are willing to be suppressed, despite the fact that for over one hundred and fifty years Poland was divided, and yet Poland is vigorous today, despite the fact that Bohemia, Ireland and other suppressed nations are problems for which statesmen seek solution today, it is probable that even at the general reorganization which comes, a solution might be attempted which will violate this principle.

If the principle of nationality were carried out what kind of a territorial reorganization would take place in the Balkans? I personally think, as the result of a good deal of study of this problem, that it is of comparatively simple solution, provided the fine ideals presented by Mr. Wilson to the world, and which are having such a splendid moral effect upon all the peoples of the world, will be followed. The trouble with the Balkans is that a large portion of each of the nations is in a free and independent state and the rest of it is under the domination and subjection of some other state, chiefly Austria-Hungary. Over eight millions of Roumanians are in free and independent Roumania, but over three millions are outside of it. There are more Serbians outside of Serbia, in such places as Bosnia and Herzegovina, than in Serbia. The majority of the Greeks, as you know, are not in Greece but in the islands and on the shores of Asia Minor in Turkish dominions.

Now if the principle of nationality were carried out in the first place, the Roumanians outside of Roumania, in Transylvania and Bukowina who are so pitilessly persecuted in Hungary, would be united to Roumania. Ideally, it would mean that Bessarabia in Russia, which is inhabited by Roumanians would also be united to Roumania. It would mean also that Roumania would restore to Bulgaria that part of Dobrudja which is a part of Bulgaria. The greater portion of this is likely to happen if the Allies win. Those portions of Austria-Hungary which Roumanian peoples inhabit will at least probably go to Roumania.

What is the second element in the reorganization? It seems to me that despite the actions of Bulgaria in 1913 and 1915—in 1913 attacking her allies and in 1915 siding with the Central powers and with her old enemy Turkey—she ought to receive the Macedonian territory that she has conquered in this war. It must be remembered that Bulgaria sees the opportunity for a greater Roumania that I have just pointed out, for a greater Serbia that I shall describe, for a greater Greece in the Aegean, but that she, hemmed in on all sides by these three, will need all the Bulgarians in a compact state to maintain her national existence.

A third element in this reorganization would be a greater Serbia, or better still, as most of the students of the problems of the Balkans believe, what would be called a United States of Ugo-Slavia or South Slavia. Every intelligent person, who has read at all on the problem of the Balkans, understands the great desire on the part of the people of Bosnia and Herzegovina to be united with Serbia. Few, however, know that north of those crownlands are others, Croatia and Slavonia particularly, that are just as anxious to be united and to be free and independent. They, too, are Slavs like the Serbs. They all speak languages practically alike. They have customs alike. They are of the same race. They differ in religion, the Serbs being Orthodox, the Croatians and Slovenes being Roman Catholics, and the Austria-Hungarian policy has been pushed to the utmost to keep them divided. But the outrageous persecution of the South Slavs that began in 1909, ending in the treason trials at Agram, where the Austria-Hungary government was proved to be guilty of forged documents in order to secure the conviction of men accused of treason, has driven these two peoples together. Up to 1909, all Croatians and Slovenes and

South Slavs of Austria-Hungary wanted a union, union within the monarchy if possible, but union anyhow. Now it looks as if nothing could prevent, eventually at least, the union of all the South Slavs including Serbia and Montenegro in a great South Slav state. If history repeats itself, that consummation is inevitable. Moldavia and Wallachia, the two provinces of Roumania, when they secured their independence by the Treaty of Paris of 1856 were not permitted by the powers to unite into a single state. But they did three years later. By the Treaty of Berlin of 1878, Bulgaria was divided, but in five years the treaty was broken by the people who united themselves. If, as a result of the international reorganization which we hope is going to be based upon sound principles, these states are not united in a great South Slav state, it will only be the prelude to a movement later on whereby they will be united.

The last element in this reorganization is Greece. If the reorganization is to take place on the principle of nationality, the only Balkan state to be diminished in size is continental Greece, because that part of the territory east of the Vardar River which Greece took from Bulgaria at the end of the second Balkan War is inhabited primarily by Bulgarians and is Bulgarian in influence and ought to belong to Bulgaria. But it is to be remembered that the future of Greece is where the glory of Greece was in the classical days—it is in the Aegean Islands and on the shores of Asia Minor. It is to be remembered that in 1915, Great Britain offered Cyprus to Greece if she would come into the war on the side of the Allies. It is also to be remembered that in 1915 the greatest of the Greek statesmen, Venizelos, was willing to cede to Bulgaria the district east of the Vardar, including the town of Kavala, in the hope that Greece would get the city and province of Smyrna on the shores of Asia Minor. In other words, the solution of the Balkan problem on the principle of nationality would work again for a greater Greece, as for a greater Serbia, a greater Bulgaria and a greater Roumania.

There remains only one state in the Balkans to be considered. That is Turkey. I hope that the war will end by the Turks being put back, bag and baggage, out of Constantinople. What will become of Constantinople? Constantinople has no nationality. Of the million people in it, about half, perhaps a little less than half, are Moslems, but there is a fifth portion that are Greeks and a fifth portion Armenians, and there are a great many Jews. It is a gath-

ering of all races and nations. Now I sympathize with the desire of Russia to get to warm water. The whole policy of the past century has been dictated by that. I do not think that Russian policy has been dictated by a desire for conquest, it has been dictated by a desire for free access to warm water. It may astonish you to know that of the 20,000 miles of seacoast in Europe, Russia, which has half of the territory of Europe, has less than 2,000 of those miles, and a large portion of those 2,000 miles are icebound in winter. So I sympathize with the desire of Russia to get to warmer water.

The great dislike for Russia maintained by Scandinavia, by Norway and Sweden, has always been because of the fear that in her desire to get to warm water, she would cross them and annex them as she did Finland.

But if Russia is put in control of Constantinople, the same sack in which she was held in the past could be maintained for other states. If Russia is put in Constantinople and can at any time shut the straits, as Turkey has shut the straits to her several times, it means that the commerce of Roumania and Bulgaria, too, can be strangled.

Hence unless those two principles, one of nationality and the other of economic access for freedom of commerce, are going to be the bases of the Balkan settlement, the present war will only be a prelude to another war.

## THE ECONOMIC FACTORS IN AN ENDURING PEACE

BY E. E. PRATT, PH.D.,

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The economic center of the present conflict is the struggle between Germany and the United Kingdom. These two countries represent essentially different commercial and economic systems. Great Britain, confident in the excellence of its products and in the retention of long-held markets, was slow to introduce labor-saving devices, large-scale production and efficiency methods, and was gradually finding its wares displaced, even in its own markets, by the products of less conservative nations. Germany, keenly alive to the opportunity thus created, set out to invade practically every great market of the world, with the help of the most modern appliances, the most modern methods of utilizing labor, and a very

practical, thorough and comprehensive system of commercial education. Even this educational system became a source of friction between England and Germany through the influx of young Germans in England to take up clerkships there as a part of their training.

England had the advantage of almost unlimited possibilities of expansion in her colonies. Germany was poor in colonies and found most of the world's surface preëmpted. But she solved the problem of expansion by making her colonization economic rather than national. And the German settlements in the developing countries of the world have been perhaps as effective in extending the influence and increasing the trade of the mother country as have the great colonies of England.

Besides the sharply defined commercial rivalry of England and Germany, the war had minor causes of an economic nature—Russia's reaching out for an ice-free port, Japan's desire for a freer hand and a larger trade in China, and Germany's dream of obtaining economic jurisdiction over the near east. All these factors, which together account for the great war in its economic aspect, may also help to determine the economic elements in an enduring peace.

The statement was often made before the war broke out in Europe that nations are economically interdependent, and that statement is truer today, perhaps, than ever before. Germany's position now is a forced attempt at economic independence, and if she is losing out, it is simply because such a position at present is absolutely untenable.

For some of the materials essential to the conduct of the war, almost all the world's supply is derived from two or three countries. Rubber is produced extensively only in Brazil, the Straits Settlements and the East Indies; nitrates, only in Chile; tin, only in Malaysia and Bolivia; platinum, only in Russia and Colombia; manganese, only in Russia, India and Brazil; diamonds, only in Africa; and jute, only in India. Sulphuric acid, which is essential in the manufacture of practically all the high explosives, can be obtained only from sulphur and from pyrite. Sulphur is produced in commercial quantities only in Sicily, the United States and Japan, and almost one third of the world's pyrite supply comes from Spain. Over half of the world's tungsten is produced in Burma, Portugal and the United States.

All these very essential materials, therefore, are controlled to

a considerable and in some cases to a very large extent by a very small number of producing countries. Before the war, most of us perhaps were alive to the advantages of an export trade, but it must be counted as one of the lessons of the war that our economic life and the export trade itself are dependent, much more than had been realized, on our import trade.

The economic factors responsible for the war and the economic interdependence of the nations of the world, upon which the war has thrown new light, point the way toward the conditions of an enduring peace. In the first place, each nation must have access to raw materials and markets for its products in order to insure industrial development along the lines for which it is best suited. Secondly, there must be no preferential tariffs. Before the war Russia was dependent upon Germany to a very considerable degree as a market not only for rye and wheat but for mineral products as well; and German influence had permeated Russian trade and industry. Now if Great Britain establishes a tariff on foodstuffs and raw materials and gives a preference to colonial goods in return for colonial tariff preferences to British manufactures, Russia will be forced again to sell her wheat to Germany. It is absolutely necessary, therefore, that England's markets, especially for foodstuffs, be opened to Russia and that British and American capital be invested in Russian industries. The United States also will expect freer entrance for its products into certain foreign markets. Discrimination against American goods, as now practised by France and Canada, cannot safely continue.

Commercial treaties are not sufficient to prevent disagreements. In some cases they even create difficulties for third parties, if not for those directly concerned; and their shortcomings emphasize the need of broader international agreements on many subjects that now cause disputes among nations. There is opportunity for this country to adopt a vigorous policy on international agreements with regard to the parcel post, patents and trade-marks, commercial statistics, commercial travelers, customs and sanitary regulations, and many similar matters, which could be satisfactorily handled by this method.

There might also be uniform shipping rules. At present the rebates given by certain steamship companies furnish one of the standing causes of disputes in the shipping world; but no one nation will force its steamship companies to eliminate rebates as long as

steamship companies of other nations are free to offer them. Such difficulties might, however, be adjusted by an international agreement similar to the Brussels Sugar Convention. International control might likewise settle the long-continued controversies over points of strategic commercial importance, such as the Dardanelles and the railroad across Afghanistan or through Bagdad.

One of the strongest weapons of the proposed League to Enforce Peace would be its control of a certain number of raw materials, through the fact that members of the league produce the greater part of the world's supply. If, for example, a league among the nations thus had control of certain of the essential raw materials to which I have directed your attention and could, in the event of war, sufficiently curtail the shipment to any country of those essential raw materials, it would be a question of only a few weeks or a few months before the nation opposing the league would be forced into peace.

I have attempted rather to meet the subject with suggestions than to cover it in any comprehensive or detailed way. Broadly speaking, the subject reduces itself to one consideration. The present war is largely an economic struggle. The disputes of the future, whether or not they eventuate in war, will have their origin, to a large degree, in international trade problems. We must bend all our efforts, therefore, to reducing the points of conflict in trade and commerce, if we are to hope for an enduring peace.

## INTERNATIONAL FREEDOM OF THE PRESS ESSENTIAL TO A DURABLE PEACE

BY DAVID LAWRENCE,

Washington correspondent of *The New York Evening Post*.

I write this from a war capital—only lately a city of peace. For two and a half years we have been a neutral nation. Suddenly we have become a belligerent. In that transition from a state of neutrality to a state of belligerency lies the key to the problem of a durable peace. I do not wish to be misunderstood in anything I may say here today as conveying disappointment that the United States has entered the war against Germany for no man can be disappointed with that which is right, painful or distasteful as that may be. But I am disappointed that the United States somehow lacked

the moral or expressive power to convey to Germany the rightness of our contention and that Germany seemed utterly incapable of understanding the right and accepting it, painful or distasteful as that might have become.

No better demonstration, indeed, of the problem that must be solved before there can be durable peace in the world has been given in modern history than is contained in the sequence of circumstances under which the United States, three thousand miles distant from Germany, has just become involved in a state of war. The joint failure of Germany and the United States to remain at peace after correspondence of nearly three years emphasizes the futility of diplomacy and unofficial instrumentalities to preserve peace when > there is no free interchange of public opinions between nations.

Could the heart of America have been poured out to the people of Germany, could the utter unwillingness of the United States to enter the European War have been demonstrated conclusively to the German people, could the passionate desire of the American people to sacrifice their lives and fortunes for the vindication of the rights of humanity and the laws of nation have been convincingly carried home to the people of Germany, and moreover could the German people have spoken their will through a representative body, who is there who will say that the United States and Germany would nevertheless have been at war today? The German people are not so unlike our own people as to be deaf to the voice of reason. They either are unenlightened and uninformed as to the profound impression which inhumane methods of warfare have had on neutral peoples, or they are involuntarily silent, indeed impotent still to utter a protest or effect a change in their government.

What does America today pray for? What is it that will be hailed as the first sign of peace and the restoration of reason in Germany? A revolution, the overthrow of the imperial government that has decreed submarine warfare, that has deported Belgians, that has justified the destruction of the *Lusitania*—the murder of noncombatant women and children on land and sea. Would the German people in possession of democratic institutions have sanctioned these atrocities? Americans do not think so. And, therefore, the universal hope is for a revolution that will release a spirit of democracy that is in potential existence wherever intelligent and civilized peoples live. But how can such a revolution be effected, how can democracy assert itself without available processes



for the crystallization of public opinion? There are no such processes as yet in Germany. Autocratic government is still powerful enough to prevent free speech, free assemblage and the election of a legislature by the free will of the people.

It is the constitutional freedom of the press that has made of America a democracy in fact as well as in name. It is the freedom of the press that permits the formation of public opinion. German newspapers have been timidly subservient to the autocratic interests of the imperial government. They have often been secretly subsidized by the German government. They have been even in time of peace directly controlled by the government.

The most essential problem in the making of a durable peace is the dissolution of any partnership that may exist in any country between the government and the press. There can be no government by the consent of the governed unless the people have a means to make known their wishes. In America they not only have chosen representatives in Congress to speak for them but enough uncontrolled newspapers throughout the length and breadth of the land through which the people can speak uninterruptedly to Congress when once assembled.

Last, but not least, is the question of editorial and news intercourse between nations. The spoken words of physical contact are of course most effective in preventing or solving international misunderstandings but the interchange of public opinions through the press is often the only way that distances can be overcome. News and editorial opinion passing from nation to nation must not be treated as contraband by an intervening state at any time. Otherwise there is an opportunity for the interposition of the national point of view of states through which cables and telegraph lines must pass enroute to a nation most vitally interested in understanding the viewpoint of another with which it is in controversy or dispute. Interference with the free intercourse of nations through the press either by financial seduction of news agencies engaged in international news distribution or by the exercise of arbitrary powers over the press of any people that desires to be free must necessarily impede international harmony. It must defeat the development of that international mind, as distinguished from a national or provincial attitude, which is so essential to the success of any league to enforce peace or concert of self-governing nations. *There must be international freedom of the press.*

## SOVEREIGNTY AND RACE AS AFFECTED BY A LEAGUE OF NATIONS

BY THEODORE MARBURG,

Formerly United States Minister to Belgium.

Just as the old idea of natural rights has given way to the conception that the state has a right to do whatever it is in the interest of society in the long result that it should do, so it is becoming plain that the doctrine of absolute sovereignty set up to guard the state itself against interference by other states must ultimately give way before the conception of a society of nations. As is well known, the theory of natural rights, which set boundaries to the activities of the state operating on its own people, was designed to protect men against the power of the autocrat. When governments came to reflect the will of the people the need for this device disappeared. The doctrine of absolute sovereignty had its origin in a similar motive. The theory was designed to safeguard the right of the individual state in a world where the powerful state was governed by few rules or precepts and was moved principally by the desire for aggrandizement. As democracy spreads, the dominating motive of aggrandizement is diminished and the desire to do justice to the sister state begins to emerge. When this happens the same ultimate test may be applied to the doctrine of sovereignty as was applied to the doctrine of natural rights.

If it is in the interests of men that nations should enjoy sovereignty full and unimpaired, well and good. If, on the contrary, sovereignty unimpaired leads to disaster—in the shape, for example, of unjust and destructive wars—it should not be suffered to continue. The state should retain only so much sovereignty as makes for the welfare of men organized in states.

The experience of the forty-eight states now comprising the United States of America is really an application of this conception. The Union was constituted of sovereign and independent states. They surrendered sovereignty but not self-government. The separate states of the Union still govern themselves with respect

to three quarters of the things that touch the public interest. Absolute sovereignty was surrendered by them in the common interest.

Now, world opinion is not ripe for a union of the nations so complete as the union of the American states under a federal government. But even a rudimentary organization must be based upon this same conception, namely, the right of the society of nations to demand of the individual states whatever it is in the interest of the race that they should demand.

Within the state the individual without wealth or influence who, in former times, was preyed upon by the powerful, now enjoys, under modern institutions, the same rights and privileges before the law as the wealthy and powerful. Just so, under a properly organized society of nations, the small state will come to enjoy security equal to that of its more powerful neighbor, a security far more ample than any doctrine of absolute sovereignty can give it under present conditions.

Society implies restraint. We can have no liberty without a surrender of license. The one license which it has become perfectly clear the nations must surrender is the license to make war at will. Begin with that demand, make it difficult for nations to settle disputes by force, and they will seek and find other ways to settle them. That truth is at the very bottom of the whole movement for world organization. If we take our stand upon that demand the machinery for settling disputes will come.

In this connection a few words must be said about the question of race and alien government. Certain groups, such as the Netherlands Anti-Oorlog Raad, demand a plebiscite of the inhabitants before a transfer of territory is permitted. Theoretically this would seem to fit in with the demands of justice. Practically, serious difficulties present themselves in connection with the proposal.

In the first place, to admit this right of approval by the population of the territory about to be transferred involves logically the right of secession. Suppose, for example, that at the end of this war the people of Alsace are consulted about restitution of the province to France, that they should approve of it and that the transfer is thereupon made. If, then, at a future time, these same people of Alsace should reach the conclusion that they had

made a mistake and should demand release from their allegiance to France, could this demand logically be denied? And are we prepared to admit the right of secession whenever a local community exhibits discontent under a government? To have set up such a principle would have conceded the right of the New England States to secede from the American Union when the several waves of discontent swept over them at the end of the eighteenth century and in the early years of the nineteenth century. It would have admitted the right of the Southern States to secede when the slavery issue became acute. It would admit the right of Ireland today to secede from Great Britain and to establish, close to the border of the home country, a separate sovereignty which might afford a foothold for an enemy attack.

Peace is secured by union, not by disruption. For generations the border of England and Scotland was the scene of bloody strife, all stilled by the union of these two countries in 1707. For fourteen hundred years after the fall of the Roman Empire of the west, Italy was torn by ceaseless wars between her city states and between her principalities, leaving her an easy prey to the invader—all stilled by union. The mind of Cavour grasped this truth firmly and laid broad the foundations for a single Italian State which has spelled rebirth, security and progress.

For centuries men witnessed similar wars between the principalities and petty kingdoms of France. It was the very establishment of strong central government in France at an early day which enabled her to shine as a leader in Europe in all the walks of civilization.

In Germany for long years the hand of every baron and petty noble was turned against his neighbor. There too it was consolidation which brought law and ordered progress.

In the second place the plebiscite is often a meaningless form. Certainly it has been such in France, where it has been used to confirm a *fait accompli*. For the people to endeavor to undo the thing already done would have meant anarchy. Therefore the result has usually been millions of affirmative votes against a few thousand negative votes. Napoleon Bonaparte made himself first Consul in December, 1799, organized his government and six weeks thereafter instituted a plebiscite to confirm his act. Is there any need to say what the result of that plebiscite was? When in

May, 1804, he had safely gotten the title of Emperor conferred on him by the Senate he again invited a plebiscite with like result. Louis Napoleon was not slow to see the advantages of this method. A plebiscite, December 20, 1851, endorsed his high-handed methods of dealing with the National Assembly and of perpetuating himself as President of the Republic in violation of the provisions of the Constitution. Next, having gathered into his hands all executive power with the right to nominate the members of the Senate and of the Council of State, through which alone legislation could be initiated, he proceeded once more to institute a plebiscite which conferred on him the title of Emperor.

Now, is not the question of a transfer of territory in much the same category? Such transfer at the end of a war has to be agreed upon in framing the treaty of peace. For the people of the territory in question to negative the decision of the Congress might mean reopening the vital issues of the war and so renewing the war. Under such circumstances, is there any doubt that the votes of the inhabitants will simply register what the Congress has decreed? At such times, too, the men "in possession" generally get their will done. Dicey refers to the way in which, during the French Revolution, "the Terrorist faction, when all but crushed by general odium, extorted from the country by means of a plebiscite a sham assent to the prolongation of revolutionary despotism."

The real solution of the problem of race conflict lies in equal political rights for all white men in white men's countries. If the Johannesburgers had enjoyed the full franchise under the Boer government the injustice practised against him would have been impossible and the South African War would not have occurred. When men everywhere come to enjoy equal political rights—enabling them to help themselves to full civil rights and religious liberty—they will in course of time cease to care whether they live under this or that government.

Discontent will further tend to disappear if we add to this the system of local self-government such as obtains in the United States, where the people of the separate states govern themselves in respect of the majority of things that touch their interests.

A league of nations to discourage war is almost certain to come into being after the present conflict, because the Entente Powers, in their joint note of January 10 to Mr. Wilson, committed

themselves formally and officially to the project. But, until it is shown that the league can and will protect its members against sudden assault, until it is shown that the league itself will hold together in times of storm and stress, no country can be expected to place its sole reliance for protection on it. Until then, Great Britain, for example, could not in fairness be asked to impair the strength of her great fleet.

An important line of progress in the history of war has been the tendency to spare the non-combatant and confine the conflict to the armed forces of the belligerents. These helpful rules of war, so painfully bought by experience and laboriously worked out through generations of endeavor, Germany has thrown to the winds. And she has not stopped there. Deeds which men, relying upon the common dictates of humanity, thought it wholly unnecessary specifically to forbid, have been done, not in the heat of battle, but deliberately as part of a conscious policy. Others among the belligerents are not free from blame for giving way to the temptation to retaliate. But in their case we behold the spawn of an uncontrollable rage excited by the acts of the enemy.

To many men the crimes committed in this war, the very assault itself, were, before the event, simply unbelievable. The result is a shock to confidence—confidence in the binding force of treaty obligations, confidence in international law, and confidence in the upright intentions of the neighbor. No matter what the issue of the war, we are therefore apt, for a time, to witness armaments going on at an accelerated pace. But once the German menace is definitely removed by a change of spirit on the part of the German people, the world may not only work back to its normal condition, but the existence of a league of nations—after it shall have established general confidence in its ability to do what it is designed to do—must eventually bring about an actual amelioration of the condition of armed peace existing before the present war. To the security due to the geographical position which some nations enjoy, and to their individual preparedness, states will then add the security of a guarantee by the family of nations against sudden attack.

## THE INTERESTS AND RIGHTS OF NATIONALITY

BY C. E. MCGUIRE, PH.D.,

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An examination of the history of the idea of nationality and the study of the development of nationalism, especially in the nineteenth century, would permit the enumeration of many instances of the depression and restraint of nationality; and, on the other hand, it would not be easy to cite a single example of a nationalism unambitious further to expand and satisfied that it had fulfilled every legitimate aspiration. If by some magic formula we were able to reverse the position of the world's affairs and subordinate the vigorous and dominating nations of Europe to the weaker and oppressed, what assurance have we that the latter would not manifest the same callous disregard that now is alleged to characterize the former? Is it, therefore, nothing but a matter of cumulative community selfishness, and are we to desist from our search for an underlying principle of nationality and for sanctions upon which all nationalities may base their claims for recognition? We are depressed by the answer of history. Nevertheless, history in so far as it records the development of ideas and the attempt to give them practical form and effect must be our instructor. Let us, therefore, examine and classify what we may agree to be the main interests of nationality, testing each interest in the innumerable retorts which history offers us, and at the same time bearing in mind that however imperfectly it may interpret them in action, our race is capable of following its ideals with sustained intensity through long periods.

The commonly accepted factors of nationality may be stated as the following:

- (a) Racial identity or a reasonable homogeneousness of race
- (b) Identity of language
- (c) Unity of religion
- (d) A symmetrical and healthy development of commerce and industry
- (e) A uniform theory of government

What do we mean by racial identity or a reasonable homo-

geneity of race? There is abroad, especially in this country, a belief that without racial identity and homogeneity of origin and development the national spirit will not thrive and animate a people. It is true, those who are most apprehensive of the failure of the national spirit to guide and strengthen the United States have been alarmed by the fact that the population of the republic has been increased and is increasing, not through the expansion of the original racial element, but rather through the accretion of every branch of the Indo-European races and of many non-European branches. They labor breathlessly to bring about a fusion, an assimilation of these elements. They would welcome the greatest possible intermixture of race in order that the resultant product should find all its constituent racial tendencies neutralized and subordinated to those of its environment. But the tragedy of the "melting pot" theory is not its ineffectiveness so much as its superfluity. The greatest peoples in history, those most conscious of their aspirations towards unity, and which stand out so strongly in Greece, in Rome, in Spain, in Germany, in Ireland, have had no racial identity or exclusiveness of origin. They have severally welcomed races as diverse as the Arab, the Celt, the Teuton, the Scandinavian, the Etruscan, the Thracian. The national spirit in each case has been strong enough to impose language and ways of living, religious outlook, unity of purpose and its own fervent conviction of identity upon the new elements, often not seeking to do it but rather repelling them. In such cases it has been an invariable rule that the fullest and freest contribution of racial talents and excellencies has determined the formula of the nation's success. This is not to say that prejudice and internal difficulty and strife have not existed, but rather to say that in spite of these obstacles and many more, the newer racial elements have been fused and assimilated if at all, not so much by the stamp of administration, as by the attracting power of a stronger character and higher standards of individual life.

The interest which we associated with identity of language is one that appears to the mind at the first consideration of nationality. Many difficulties in the way of the creation of a strong national state are removed by the existence of a common language understanding. The part of literature in molding and strengthening national feeling cannot be over-emphasized; and the influence of the daily press today in standardizing language must not be overlooked,



even though it be less than one would expect in view of the ubiquity of the press. Again the national systems of education have served as an effective means for the development of a national feeling through uniform instruction in language and literature devised and imposed by a single authority. Business men, professional men and the journalistic fashioners of our ready-made opinions receive their higher literary training and their ability to set the standards of our speech in learned institutions where speculation on the duty of intense nationalism is indulged in with facility and in abundance. None the less, nations have grown great and national feeling has been intense and evenly distributed without uniform regard for language standards. Any of the great European nations will afford examples to those well acquainted with them of a surprising diversity of dialect and popular speech, to say nothing of bi-lingual Belgium and tri-lingual Switzerland, familiar for their profound sense of national unity. Even France and Germany and England would suffice, to say nothing of the radical language differences which prevail in Hungary, in Finland, in Russia and in Spain. I do not refer to separatist movements such as the Catalan, but to the many distinct dialects which make up any one of these countries, distinguished in our day for their thorough nationalism. At times the idea of nationality has survived when the nation has lost or nearly lost its language; English-speaking Ireland is hardly less conscious of its ineradicable distinctness than if only the Celtic tongue were heard within its shores. Ireland's ballads have had their widest influence in nourishing hope of freedom and memories of oppression, in their English translations; and the work of political parties has been done in English. Despite the apparent plasticity of the Jewish race it retains an amazing sense of its exclusiveness and aloofness often with but the faintest grip upon the common tongue of the race. Is there then an interest of language? History's answer seems to show unmistakably that the ideal of nationality involves the notion of a common tongue adorned and inspired with the literature which properly expresses the hopes and aspirations of the people. But history shows too that this incidental notion of identity of language is but a rare element in assisting to achieve the freest development of nationality. Apparently nations can get on very well with a variety of dialects so long as superior interests of association keep together the groups which use them.

There is a national interest, we are told, in the existence of harmonious criteria in philosophy, ethics and theology. In these days perhaps this argument is glossed over because again we have inherited inextricable difficulties from preceding centuries. Even where the theory of a harmonious outlook on life and religion rises above the crudest interpretations of the formula *cuius regio, eius religio*, it has attained only to the height of the national "genius." The national and mechanical state is religion enough for its subjects, if it could but have its way. So far as any portion of a people may subscribe to an international and supernatural religious faith, the force and vigor of the nationalism of that people is correspondingly weakened. An interest in religious unity, therefore, that is, the interest in the state regulation and measure of religious aspirations, would seem to be indispensable to the truly vigorous nation, but, fortunately for the human race, history gives no encouragement to those who make devotion to nationality synonymous with worship of the state. An interest there is in a religious harmony of strong convictions and intolerant not of faulty judgment and clouded vision, but rather of negation of principles, and of human pride. This interest, moreover, is one of nationality, but it is not an interest of nationalism. Its satisfaction calls for the fullest contribution by each race, by each individual, of the best in thought and character to the good of mankind. Such an interest can be assured by no national and material formulas; and those who seek to interpret it must sacrifice alike rationalism and nationalism. Every attempt to ignore religion and a moral conception of the universe and of the significance of life, has ended in sophism, in materialism, in decay, in horror. Every attempt to destroy or oppress the Catholic Church has made it more intensely distinct and international; every attempt to bend it to the uses of states and persons has been reacted against even more strongly by the innate vitality of religious conviction.

Again, the interest of a proper distribution of economic burdens presupposes a symmetrical and healthy development of commerce and industry in any one national group. "Self-sufficiency" and "economic independence" are the watchwords of today, significantly indicating our recrudescent emphasis upon nationalism. We are told, and it is true, no doubt, that a nation must produce, refine and distribute every element essential to the continuity and

protection of its national integrity, material and spiritual. It would follow, therefore, that a real interest of nationality would be a well-rounded economic régime with not too much emphasis on any product—agricultural, mineral or manufactured—but rather a precise balancing of all the elements which go to make up a civilized community. In order that skill or natural advantage shall not again (as it is alleged they have done) cause us to grow unconscious from day to day of our racial barriers, it is proposed now to abrogate certain economic laws and to subordinate all rules, however familiar, to the superior interests of nationality. This call for economic solidarity is an inevitable accompaniment of nationalist movements. We have only to glance through history to find reaffirmation of our instinctive thought that the world and its civilization are a piece, both in duration and in extent; that as history is an uninterrupted causal chain, so the material world which we view at any given instant is an economic tableau constructed with an exquisite nicety and inter-relation which the human mind cannot grasp, much less succeed in altering by futile attempts at isolation of one or another portion.

Has nationality an interest in a uniform theory of government? It would seem that the concept of nationality, that is to say, the concept of identity of interests, necessarily involves unobstructed devising of the method by which nationality will fulfill, or at least express, its purpose in the world. Unless a people have an opportunity adequately to direct their own destiny regardless of their neighbors, they cannot serve as the model of a successful nation; and it is obviously impossible for the sense of direction of their destiny to be national unless this sense be accurately apprehended and interpreted. A uniform theory of government would seem, therefore, to be necessary; there must be a conviction that one method of government and one alone will correctly interpret and permit to be carried into effect the high designs and purposes of the nation. But again, too, history reassures us. The ideal of nationality would seem to have been far too much for weak human nature if it had involved the acceptance of a uniform theory of government, and above all of any particular theory of government, as an indispensable condition of its realization. Perhaps there is some truth in the statement that the more uniform the acceptance of any theory of government the less success judged from any point

of view that theory will have of being carried into effect by that people. The history of human freedom is a history of human discipline, but not a discipline imposed by martinet or philosopher upon the individual. It is the record of contest between alternatives and the acceptance of either only after tested conviction. The minority is as likely to be right as the majority. Indeed, *in the struggle for right* the minority is more likely to be right than the majority, influenced as it must be by the gravity of the consequences of its contentiousness. It would seem, therefore, that again history shows itself indifferent to the categorical and inherent requirement of nationality that a people define and maintain a common theory of government. Whatever good the whole concept of nationality may have contributed to civilization and to the uplift of mankind has been accomplished with but little success in carrying into effect uniform theories of government. The *consent of the governed* or the *rule of the best* will in the future as they have in the past represent the widest divergence of views on the subject of government, and no aspiration of national integration will succeed in welding them. It is in their clash and contest that there lies the hope of progress of individual discipline and effort, of the eventual contribution by national and political units of the world to the cause of internationalism, of what today we may discern to have been contributed to the best nationalism by the divergent racial groups composing our various peoples.

For again, we repeat, history, that is, the world and its civilization, is of a piece in extension and in duration. The immutable truth which illuminates the thought and conduct of an individual is but a facet of the same eternal gem which energizes and inspires the racial and political unit. The truth of the humble worshipper of God is the truth of the majestic processes of international relations. The aspiration of the human soul to the eternal *oneness* of truth is what animates the noblest aspirations of nations; but our inarticulateness in transmitting thought and the material conditions of our common life render dark and uncertain the expression of those social and national thoughts and aspirations. The farmer tilling the rugged, reluctant soil of Castile, apprehends the nature of his task, and knows that to it he must adjust himself and his ways in order to escape failure. No less the nation must apprehend

the laws which will govern its development, and realize how complete the disaster if these standards be not observed.

In the *oneness* of truth, in the universality of history, there is provided an ample satisfaction for all the aspirations of nationality. Wherein those aspirations reflect the light of truth, just so far does history record their providential transmutation into interests and their fulfillment, without recourse to the unsuccessful artifice of nationalism.

### "A MESSAGE FROM SYRIA"

By MRS. LAYYAH A. BARAKAT,  
Philadelphia.

I am a mere insignificant woman in the midst of this intelligent and scientific body, and I represent a little country—Syria— but I have a heart that has been given enlargement by the American Christians. I was only a barefooted Mount Lebanon girl. My father, my grandfather, my uncles and many of my people laid down their lives for their country. My people today are suffering under the yoke of the blood-thirsty and cruel Turks, and for all I know—for two years I haven't heard a word from my very own—my people have probably died from starvation, for no other reason than that they seek freedom and Christianity.

Syria is the country that gave you the Bible; Syria, the country that gave you the Christ; Syria, the cradle of Christianity. Before the discovery of America we had only one-half of the globe and we thought it was the whole world, and we looked to my little country as the very center of that world. To that center the Christ Jesus came; from that center the Christ sent his golden rule throughout the world. But since the discovery of America we have another half of the globe and we find America the new center. We expect the light to reflect back from this very center to our own, to send her Christ's golden rule, that Syria may have freedom and may have liberty, that Syria may be a democratic nation. They are longing for it. What can we do to help them?

I am one that was redeemed by the pennies of a Philadelphia Sunday School. It was the pennies that went to my native land from the hands of the consecrated American children that made me

what I am. You sent us missionaries; you taught us democracy; you opened our eyes; you made us believe that we are worthy of freedom; will you leave us alone now to perish? We plead with you. God is using you now and is going to use you yet for greater things. America is the best country under the sun.

The entry of the United States into the world war is to relieve the oppressed people and to uphold democracy. Surely the people of Syria are one of the most oppressed under the despotic rule of the Turks, and they long for the privilege of self-government. This right has been taken from them and they now appeal to this great nation to help break the yoke from their shoulders and make them free. America can do it if she only will.

The glorious American flag I love; it protected me from the sword of the Turk when I was but three years old. It protected my poor widowed mother. It protected me in 1882 when I came from Egypt, a refugee. I ran away barefooted from Egypt and found refuge under this flag. I arrived at the foot of Washington Avenue, Philadelphia, without money, without friends, without language—a stranger in a strange land—and I was taken in by the true Americans. God bless America. God raise America higher.

One of our eminent professors has said, "The world needs a new philosophy; the philosophy of this great century must go to the world." It is not philosophy that the world wants. The world wants something that man has not yet gotten—the world wants religion; the world wants God. But you may say, What is religion? Religion is the presence of God in the soul of man, and when man has the presence of God in his soul he will help the weak and lift up the fallen.

Where is Assyria and her art and science? Where is Babylon and her power? Where is Nineveh and her great and wonderful works? Where is Egypt and her education? They have gone, and nothing but ruins are left to tell us what they once were. They rejected God and God rejected them and put them out of existence. This shows us that philosophy and education cannot perpetuate nations, but we need the golden rule of the Son of God to bring the golden age for the life of man.

## THE BOHEMIAN QUESTION

BY CHARLES PERGLER,

Cresco, Iowa.

The exit of Turkey from Europe is now a question of a short time. Russia is no more an autocracy, and henceforth will be a democratically governed country. Thus remains unsolved only one major international problem involving the rights of small nations, speaking of nations in the ethnical sense and as distinguished from states. The allied note to President Wilson demands the liberation of Italians, Slavs, Roumanians and Czecho-Slovaks from foreign domination. The Czechs and Slovaks ask for the reconstruction of an independent Bohemian-Slovak state. All this postulates the dissolution, or at least a very serious diminution, of Austria-Hungary.

The federalization of the Austro-Hungarian Empire has become impracticable, if not wholly impossible. The case of Switzerland is hardly in point. Mr. Toynbee defines nationality as a will to coöperate, and a nation as a group of men bound together by the immanence of this impulse in each individual. The Swiss have developed this will to coöperate, while in Austria it always has been unknown, and conditions are such that to hope even for its inception would be wholly utopian. Nor can we point to the United States of America as an example, because we are after all a nation formed by the free will of immigrants of various origins, and with an underlying basis of uniformity of outlook, uniformity of language, and uniformity of culture, furnished by the original settlers in this country who came from England.

Nationality is the modern state-forming force. To disregard it is to stand in the path of an ultimately irresistible force. The historical process of unification of various nationalities, which began with the German and Italian aspirations for a national state, ultimately will be consummated. If it is not completed now, the world is due for another convulsion within a relatively short time. When this consummation takes place, that Austrian territory inhabited by Italians will be joined to Italy, the Roumanians will be gathered in one state, there will come into being a Yougo-slav (South-Slav) state, and Poland will be independent or autonomous.

If Austria then remains in existence, the only nations left within it will be the Germans, the Magyars and the Czecho-Slovaks.

In this "small Austria" the Czechs and Slovaks would constitute a minority; the Germans and Magyars would again combine to dominate and oppress the Czecho-Slovaks. Austria even so mutilated would continue to be a source of strength to Germany, and would form a basis for another attempt to realize pan-German plans of middle Europe and the consequent conquest of the world. The internal conditions of such a state would necessarily be volcanic, and Austria would continue to be a menace to European peace. We should thus be confronted with a situation which President Wilson in his address to the Senate described as the ferment of spirit of whole populations fighting subtly and constantly for an opportunity to freely develop. To again paraphrase another of the President's statements, the world could not be at peace because its life would not be stable, because the will would be in rebellion, because there would not be tranquillity of spirit, because there would not be a sense of justice, of freedom and of right.

The Austrian question is the Turkish problem in another form. Austria can be no more federalized than European Turkey. To permit Austria to exist in any form when this war is concluded, is merely to delay the solution of a problem that will never down; and in the life of nations, as well as individuals, delay and procrastination, the tendency to postpone a final decision, are crimes for which penalties are sure to follow. We have seen what this penalty is: a war devastating civilized countries.

The suggestions made in certain quarters that a federal constitution in Austria be one of the conditions of peace shows the futility of the hopes to federalize Austria. Those knowing Austro-Hungarian conditions need not be convinced that the empire's ruling classes would never carry out such conditions in spirit, and perhaps not even in letter; the world would not go to war immediately to force Austria to comply with such a condition of peace, and thus the germs of a future war, brought about by our failure to see clearly now, would be permitted to exist.

A liberal Russia will be what Russia always claimed to have been: a protector of the small Slav nationalities. With Russia liberalized, the spirit of nationalism, which must not be confounded with chauvinism, will be intensified, and Russia will never again



look with equanimity upon the Asiatic oppression of Slovaks by the Magyars, to cite a single illustration. This again shows the necessity of a final solution, and the danger of compromise and temporizing.

The Czechs have proven the possibility of independence by their economic and cultural development. Economically and financially the Czech countries are the richest of the present Austrian "provinces," and when freed of oppressive taxation, discriminating in favor of financially "passive" Austrian lands, the independent Bohemian-Slovak state would be even richer. At the present time 62.7 per cent of the burden of Austrian taxation is borne by the Czech countries, while the rest of Austria carries only 37.3 per cent. It should be emphasized that the economic strength of the new states would be reinforced by the undeveloped resources of Slovakia, the inhabitants of which form a part of the same ethnic group as the Bohemians, and desire to be joined with the Bohemians in one state. This presents no difficulty, since the Slovaks live in one part of the Hungarian kingdom, and are not scattered in isolated groups. For that matter, the world has about realized that in provoking the great war the Magyar oligarchy was *particeps criminis*; this war was not only a German war, but it was a Magyar war as well.

The Bohemian-Slovak state would thus consist of the lands of the crown of St. Wenceslaus, viz., Bohemia, Moravia, Silesia and Slovakia, so that it would have a population of over twelve million inhabitants, and a territorial extent of fifty thousand English square miles, while Belgium has only eleven thousand, three hundred seventy-three square miles. Therefore it would not be a small state, being in fact eighth among twenty-two European states.

After all, the belief in the necessity of large states is largely a product of German mechanistic political philosophy and political economy. Already voices have arisen that certain states have become too large to manage. Mr. Louis D. Brandeis has shown that even under modern conditions certain business units can become so large as to be physically incapable of successful administration. May this not be equally true of states, especially polyethnic states?

If it be said that it is hard to reconstruct a state, or organize a new one, permit me to answer that it was not easy to organize the United States of America, and the period of experimentation under

the Articles of Confederation was full of trials and tribulations. For a long time it was a question whether in America we should have an aggregation of loose-jointed states, or whether a foundation for a real nation would be laid. Yet those architects of human society, to borrow an expression of Walter Lippmann, relative to Alexander Hamilton, who after our revolution held in their hands the destiny of this nation, did not shrink from undertaking the task.

It is objected occasionally that the new state would have no direct access to the sea. Access to the sea is important, but, with modern methods of communication, not as important as it was in the past. The sea after all is a means of communication; whether these means be the ocean, or the railroad, it makes little difference if the country is confronted by high tariffs. Again, the solution of this problem has been suggested by a number of writers, and by President Wilson in his address to the Senate, wherein he advocates the granting of economical rights of way to landlocked states in the following language:

So far as practicable, moreover, every great people now struggling toward a full development of its resources and of its powers should be assured a direct outlet to the great highways of the sea. Where this cannot be done by the cession of territory it can no doubt be done by the neutralization of direct rights of way under the general guarantee which will assure the peace itself. With a right comity of arrangement no nation need be shut away from free access to the open paths of the world's commerce.

It should also be remembered that a direct connection could be established with the new Yougo-slav state with its harbors on the Adriatic.

It is also true that the future Bohemian-Slovak state will have a German minority; but in central and eastern Europe hardly any state can be constructed without certain national minorities. In the present instance the minority is not as large as would seem on the basis of the false Austrian and Magyar statistics. But it will certainly be easier to safeguard the interests of a German and Magyar minority in a Bohemian-Slovak state than it would be to protect the rights of Bohemians and Slovaks in a deformed Austria, or to force Austria to become a federal state.

This question of national minorities will of course have to be worked out in detail, but judging from the way Bohemian cities and communes have handled the problem of German minority schools,

it may be safely predicted that there will be no oppression of German minorities, no more than there was during the centuries that Bohemia was an independent state.

A leading advocate of permanent peace recently suggested that the question of national minorities might be solved to a large degree by a system of judicious exchange of such minorities, or of various members thereof. This gentleman had in mind the situation in Macedonia, but the suggestion is worth considering in other connections. For instance, Vienna has a large number of Bohemians, and the question of the Bohemian minority in this city has always been quite acute. A large number of these people might be repatriated and their place taken by Germans living in Bohemia, who originally were colonists in any event. It goes without saying that such repatriation would have to be voluntary, but if once undertaken should be facilitated by the respective governments.

One cannot help remarking that prior to this war those now worrying over the possible oppression of a German minority by a majority of Czecho-Slovaks were little concerned about the oppression of the majority by the minority, which has been going on for centuries. It should also be noted that a policy of denationalization of other peoples is one peculiar almost wholly to the Germans. After all, there is such a thing as psychology of nations, and the Slavs have never been noted for attempts to impose their language upon other nationalities. Russia is not an exception to the rule, for her reactionary policies were largely due to the Junkers from Russian Baltic provinces and to the German bureaucracy.

The factors thus enumerated, the right of any nation to independence once its possibility is demonstrated, the necessity of dissolving Austria in the interests of permanent peace, I believe to be decisive of the Bohemian case.

I would not even fear the joining of purely German parts of Austria to the German Empire. This would carry the principle of nationality to its logical conclusion. It would perhaps strengthen Germany absolutely, but very seriously weaken her relatively. To the German Empire would be added a few million Germans, but it would be deprived of the support of a much larger number of Slavs, who are now being made use of to fight the battles of their bitterest enemy.

When we consider the Bohemian question in relation to the

whole European problem of small nationalities, it is easily seen that it is simplicity itself, for a reconstruction of Europe in accordance with the principle of nationality means also the freeing of the French and Danes in Germany, the creation of a Yougo-slav state and emancipation of Poland. All these questions, whether difficult or easy, must be faced unflinchingly.

Let us not forget that the Czech question is also one of restoration. The Hapsburgs were called to the Bohemian throne by the free will of the representatives of the Bohemian state, and they undertook by solemn oath and pledges to protect and safeguard the independence of this state. The violation of such pledges and the deprivation of the Czechs of independence by force, do not do away with their legal rights, so that the Bohemian case has the strongest possible legal sanction.

The fact that the Czechs at one time had a strong and powerful state, well organized, is also a sufficient proof of inherent political capacity.

Bismarck maintained that the power ruling Bohemia rules Europe. This best illustrates the importance of the Bohemian question as an international problem. Without an independent Bohemian-Slovak state permanent peace cannot be realized.

## THE RIGHTS OF THE JEWS AS A NATION

BY J. L. MAGNES,

New York.

It is good American doctrine to hold that all nations, large and small, have a right to life, liberty and the pursuit of happiness. But many nations, either because of their own aggression or the aggression of others, have found and still find that this right is questioned. The possible difference between today and yesterday is that, particularly since the aims of the present war have been formulated, the big nations say that they have less inclination than before to dispute the rights of small nations.

Aside from political and commercial reasons, this recognition of the rights of small nations may be a reaction from the effects of our mechanistic, technical civilization. It may be that even the

big nations instinctively feel that man does not live by bread alone, but that in each nation, however small in number or deficient in mechanical efficiency, or backward in politics, there are distinctive qualities of spirit, the loss of which would be a loss to the spiritual treasures of mankind. But the natural right to live, and to seek liberty and happiness, is different from historical or political rights. Just what rights a nation's history gives it is questionable, and a matter that has usually been determined by the arbitrament of arms. Our discussion is an attempt to determine what the rights of small nations ought to be without resort to force. In order to do justice, this should be done for each nation by a member of that nation.

Let me try to do this in a measure for the Jews.

But the question is asked immediately: Are the Jews a nation?

This brings us to the confusion and looseness in the use of the term nation. We shall probably have as many definitions of the term as there are nations themselves. For myself, I regard as a nation any considerable group who regard themselves as a nation as they themselves define the term. Any other conclusion is, it seems to me, the approved method of setting up the straw man to knock him down. If we examine our speech, we shall find that we use interchangeably the terms nation, nationality, people, race, ethnic group, state, citizenship, country, land. If the Academy can bring some order into this confusion, many persons and nations meaning the same thing might be spared the humiliation of fighting one another. Until then, all attempts must prove fatal to set up dogmatic criteria by which a "nation" is to stand or fall, or to be measured, in order to be entitled to the rights of a nation. It may be that, measured by the standards of the big nations, the small nations ought not to be called nations at all. But that the small nations are an existing fact and are something or other, by whatever name they be called, is clear. It therefore seems to me that we are not far afield if we regard as nations such considerable groups of persons as regard themselves as nations, however they themselves may define the term.

Take the Jews for example. Not all of them regard themselves as a nation. Yet the overwhelming majority—some millions, in fact—do. And what is of equal importance, these millions want the Jews to continue to be a nation, i. e., they have the national

will-to-live. Under these circumstances, is it not rather academic to question whether or not the Jews are among the small nations?

Many Jews object to classifying the Jews as a nation because the word has political implications. In American usage we say that a man cannot have a dual nationality, *i. e.*, he cannot owe political allegiance to more than one state. The word nation and its derivatives are so bound up with the conception of political allegiance to the state that many Jews fear that the termnation as applied to the Jews would only subject them to the unjust charge of owing allegiance not only to the American State, but to a Jewish political nationality as well. From this point of view the use of the term nation in connection with the Jew is, indeed, confusing and apt to lead to misunderstanding. Those Jews who regard themselves as a nation certainly do not wish to imply a divided political allegiance on the part of any Jew.

If the term people instead of nation is used of the Jews, the matter becomes much simpler. What "national" elements has this people?

The Jews may be said to be of the same *race*. This does not mean that they are a pure race, or, indeed, that there is any such thing as a pure race. Nor does it mean to imply any mystic quality in the conception of race. It means merely that for many centuries the Jews have, as far as they were able, married among themselves. In fact, their religion in its earliest records and up to the present day makes it imperative that they should.

The Jews have a distinctive *language*, the Hebrew. Whereas many Jews are ignorant of Hebrew, this language has never ceased to be a spoken language among them. Moreover, it has always been and it now is their chief language of literary and spiritual expression. It is an impressive bond of unity among Jews. But not only have they a "national" language. They seem also to have a "national" language sense, *i. e.*, they have in many respects (and for this they have been ridiculed and condemned—unjustly, in my opinion) made languages out of the old Greek, the Persian, the Spanish and the German. The Jewish-German, for example, *i. e.*, the Yiddish, is a distinctive Jewish language spoken by millions of Jews, and by Jews alone.

The Jews have a *common history*, *i. e.*, they are conscious of a common past, and their present day life is made up in large measure

of elements derived from the past. The attitude towards them of their non-Jewish neighbors everywhere has always been and now is about the same, *i. e.*, sometimes individual Jews are judged as individuals in accordance with their merits or weaknesses, but as a rule the Jews are judged as a class, particularly when judged in a hostile sense. This attitude of their neighbors gives rise to common interests, particularly material interests, among Jews. But quite aside from this attitude of their non-Jewish neighbors, they have developed common spiritual interests out of their inner life. The Jewish religion is the chief of these. This religion, in addition to the highest concepts of a universal character, is composed of a "national" liturgy, "national" traditions, "national" ceremonies, "national" holidays, a "national" literature, "national" aspirations, and a "national" religious life. Aside from the specifically religious, the Jews have also developed a "national" culture, with many of the aspects of the national cultures of other "nations."

A people with so many distinctly "national" elements would be regarded as a full fledged "nation" by everyone using the term, if it were on its own soil and under its own government. Is it among the rights of such a people to lay claim to its own soil and its own government?

The Jews being a peculiar people, the answer to this question must be peculiar. It is yes and no.

The Jews are to be found in almost every country. Their national rights there must be dependent upon the rights of the other nations, peoples, races or communities in each respective state. In Austro-Hungary, where the rights of nationalities to national life, freedom and the pursuit of happiness are constitutionally recognized, the Jews, living in compact masses in Galicia and Bukowina, have the right to be recognized as a nation. The same holds true of Poland and Lithuania, and I have no doubt that the democracy of Russia will recognize the rights of the Jewish nation, just as the rights of all the small nations making up the Russian State will be recognized. Just what political rights are here involved must be dependent upon the general makeup of the state and its attitude towards its constituent nationalities. In the United States, where the state recognizes only the rights of individuals and not of nations, nationalities, races or peoples, the rights of the small "nations" here, the Jews among them, must necessarily

have no political aspect whatsoever, but must be entirely cultural—or spiritual—in their nature.

The nearest approach to a territory or a government of their own for the Jews can be had, if at all, in Palestine, the old land of Israel, the Jews' old home, the re peopling of which has ever been one of the national aspirations of the Jews. This does not mean, necessarily, that all the Jews must be centred there, or that there must be an independent Jewish State or Jewish government. It means merely that those Jews who think they can serve their own people and the world best by contributing their energies to the creation in Palestine of a Jewish Centre for the Jewish people should be given every opportunity to do so under a government liberal enough, be it republican or monarchical, be it Turkish, English, French, Russian, German—to guarantee them freedom and liberty to develop the Jewish soul and the Jewish life and the Jewish hope, to the utmost.

Some of us Jews believe in these various rights for the small Jewish nation, because we believe in the Jews themselves, because we believe that the Jewish people has within it spiritual forces which should be developed for the sake of all mankind. The Jews, preserving their identity as an international people with a national centre in Palestine, replenishing the Jewish life everywhere with beauty, ideas, spirituality, should and can serve mankind as one of the greatly needed exponents of justice and of peace.

As to the rights of the Jews, therefore, as one of the small nations, I would say that:

1. Wherever they are, they have the right to life, liberty and the pursuit of happiness.

2. In states which are federations of nations and where the Jews live in considerable numbers, such as Austro-Hungary, Poland, Lithuania, Russia, they have the same rights—political and otherwise—as other nations.

3. In Palestine, the ancient home of the Jewish people, they have the right to develop a Jewish centre for the whole Jewish People. What political forms this centre is to assume must remain a secondary matter, as along as, in any event, they have complete freedom to live and to develop their Jewish soul to the utmost.



## THE RIGHTS OF SMALL NATIONS IN AMERICA

## THE REPUBLICS OF THE CARIBBEAN

BY OSWALD GARRISON VILLARD,

President of the New York Evening Post Company.

In his recent address to Congress, which led to the declaration of war against Germany, Woodrow Wilson declared that

peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and freedom of nations can make them.

With these sentiments as a declaration of national policy, every American must agree, whatever may be his feelings as to the present war and the necessity thereof. For the line of conduct the President has thus laid down in these beautiful phrases is the one which the United States should surely follow in all its dealings with any of the nations with which we are brought into contact. They are particularly apropos at this time, when we are entering into closer and closer relations in dealing with the republics to the south of us. Just because they are so weak as compared with our own giant strength it is necessary that we should base our policy towards them upon the highest ethical and moral standards, coupled with true unselfishness and without any thoughts as to personal profit for the United States because of our philanthropic action.

The very highmindedness of this statement of Mr. Wilson's makes this an opportune moment to inquire whether in our dealings with certain islands in the West Indies we are maintaining his standards and ideals. It makes it possible for me to enter a plea before you for the need of an even more detailed declaration of American policy than this towards those republics in the Caribbean whose governments are now under American military control. Cuba, Panama, Nicaragua, Haiti and San Domingo are today under American tutelage or controlled by governments upheld by American bayonets. But I shall deal in this paper only with the situation in the sister republics of Haiti and San Domingo. Of these, the latter, after an independent existence as a republic of seventy-two years,

has been taken over by force by our government; while of the independent government of Haiti—a negro republic of 112 years' standing, during which time no foreigner was ever attacked or injured, no white woman ever assaulted, and no legation ever violated save once—only a toppling shell of a government, which may crumble at any moment, remains. My appeal is for a definite declaration of intention as to these and the other republics, because there could be no more fitting time than this, when the United States is entering the world war for the avowed purpose of driving out despotism, crushing autocracy and upholding the rights of smaller nations, and because one is vitally needed, if we are to hold the full confidence and friendship of Latin America.

What are we going to do to the smaller nations in the Caribbean, whom we are one by one taking over, because their governmental methods and results do not appeal to us? Plainly, we are drifting there. Our influence is extending rapidly by the acts of both the dominating political parties, and yet nothing is being done by reason of a deliberate national consciousness or a declared policy. In neither of the last political platforms is there any statement of a belief that the United States should go on deliberately extending its influence in the Caribbean, or any reference whatever to Haiti and San Domingo. If this is manifest destiny, it is an extraordinarily voiceless destiny. If it is an unconscious national drift, it has all the foreboding and the terrifying silence of an irresistible glacier. The American electorate has never voted upon it. It has alternately applauded the "taking" by force and trickery of Panama and the violation of a treaty with a small nation with which we were at peace, and the Mobile speech of President Wilson, in which he declared to the sister republics to the south of us that:

"I want to take this occasion to say, too, that the United States will not again seek to secure one additional foot of territory by conquest."

In his dealing with the sorely tried Republic of Mexico he nobly lived up to this doctrine, despite the bloody blunder of Vera Cruz. On the other hand, we have just witnessed the purchase of the Danish West Indies, at a fabulous price, "additional territory" to the south of us, without its calling for any noteworthy comment in press or public or in Congress, either for or against the proposal. Forgotten is the wonderful fight made by Sumner in opposition to

the treaty urged by President Grant for the annexation of San Domingo at the bargain price of \$1,500,000—the cost of islands having risen with the price of living. With Mr. Wilson the deciding argument for the purchase of the Danish Islands was reported to be the belief that, if we did not purchase them at once, Germany would—even in the midst of an overwhelming war—which recalls the fact that when Grant was balked of his desire to get hold of San Domingo, he declared: “If we abandon the project, I now firmly believe that a free port will be negotiated for by European nations in the Bay of Samana.”

President Grant made even more specific the spectre of foreign aggrandisement, which has done duty so often, together with the threat of a supposedly impending violation of the Monroe Doctrine, to take us a step farther along the highway imperialistic, by asserting to the Senate: “I have information which I believe reliable that a European power stands ready now to offer \$2,000,000 for the possession of Samana Bay alone, if refused by us.” But that was in 1870, and we had not yet reached that stage in our congressional development when it has apparently become a party duty to vote what the President asks, without regard to individual opinion or conscience, and so Sumner won on the merits of the argument, precisely as Seward was beaten overwhelmingly in 1867, when he advocated the purchase of the Danish West Indies for \$7,500,000.

Times have changed; so we took over the administration of the San Domingan customs houses in 1907 by treaty, solely in order to get her out of debt and to prevent revolutions by safeguarding the customs-house receipts, which were the chief booty of the periodic revolters. At first it seemed to work well, but then revolutions began again and it was openly said that the trouble was that we had not taken for ourselves power enough. Next, a treaty was forced upon this unwilling people, by shutting off of their revenues, and thus compelling them to surrender to us their last shred of independence. When the government fell by reason of inanition, we placed a naval dictator in charge in the person of Captain Harry S. Knapp, who began his reign in the name of the American democracy by suppressing some of the native newspapers which criticised our acts and by installing a censorship all his own that forbade even the newspapers in the United States to receive a single word that was not edited by himself. This autocratic ruling lasted only until

the press of this country laid the facts before Secretary Daniels when the order was promptly revoked. But the native newspapers, with one exception, the *Listin Diario*, having no one to speak for them in the seats of the mighty, are reported to have "stayed dead." Captain Knapp's cabinet consists of naval officers and marine officers, and there is no congress, no free press, no effective force to hold him in check. Foreigners are gobbling up the best of the cane lands.

In Haiti we have forced a convention on a free people by giving them their choice between a treaty surrendering to the United States the collection and disbursement of their customs receipts, and the creation and control of a constabulary. Having signed the convention, we then imposed upon them a military occupation, having refrained from paying the interest on their foreign and domestic loans while using \$95,000 a month of their income to pay the costs of our occupation, which the Haitian people detest, particularly our rigid martial law. It is only just to say that this policy was entered upon by our State Department with real intent to be of service, because it felt that the country was in chaos and anarchy, and that the foreign bondholders, through their governments, would soon insist that either the United States should make order in the republic or let some outsider do it. I am not here to impugn motives, but merely to record facts, and the fact is that the government and the people of Haiti, who always paid the interest on their foreign loans, are now on the point of bankruptcy and their government is on the verge of being broken down by us, while the Washington authorities delay the payment of interest on all loans and the refunding of the total indebtedness, which, despite years of revolution, is only \$32,000,000. They take pride, and justly so, that our marine officers have created a splendid gendarmerie of sixteen hundred men, have built and repaired a number of roads, and given the peasantry a sense of security which has not been theirs for years. If there was chaos, that is at an end, and there is that much clear gain.

But granting, for the sake of argument, all that may be urged as to the necessity of our intervening in these two republics, what then? Are we sailing by any chart? What course have we laid out? Is there any definite governmental aim? If so, it has not been stated. Neither the Republican nor Democratic platforms of 1916, I repeat, made the slightest reference to either republic or our rela-

tions to them. Is there any social or educational survey of the republics on foot? None. Is there any recognition of the necessity of differentiating between the Haitians, who are French in culture, and the San Dominigans, who are Spanish in culture? A proposal to send an American commission to Haiti privately financed was spurned a year ago by the State Department as likely to hurt the Haitian feelings if it should undertake a study of the underlying economic and social causes of the unrest of the past—those feelings, which, we are told, were in nowise disturbed when we forced the surrender treaty upon them! There is no definite national declaration as to how long we shall stay, how often we shall renew the treaties, or whether we shall ever let go. Neither President nor Congress has spoken on this point, nor as to whether we hitherto non-militaristic Americans should or should not govern these countries by military officials. If they are to be militarily governed, then by what branch of the service? Porto Rico and the Philippines are under the War Department; the other nations in our tutelage are under the navy. The Bureau of Insular Affairs is not yet trusted with the Virgin Islands; until the war permits a more leisurely arrangement, they are to be governed by an admiral on a makeshift basis.

All question of a serious taking of stock is deferred. We shall not know just how much of industrial bankruptcy and depression and human backwardness we have purchased in the Virgin Islands until peace returns. And then? Then it will surely be time to exalt the whole question of the government of our permanent and temporary wards of whom the bulk of our people are so ignorant, to a position in which it shall have the attention it needs and deserves. But how shall it be done? It is not merely a question of deciding whether the islands are to have military or civilian government; whether we shall not follow the example of England in Egypt in letting the natives carry on their own government under the oversight of a diplomatic agent-resident, in the manner of Cromer. It is not only a question of deciding whether Haiti and San Domingo are to be governed merely for the purpose of keeping order for a term of years and getting them out of debt, or even whether they are to be scientifically administered in order that their peoples shall really be trained in the art of self-government and be taught to walk, so that when we withdraw they shall not stumble and fall

again. Far beyond this, first and foremost of all, is the question: What is it we have in our minds and hearts for them? Are we to be guided wholly by philanthropy, by the desire to help these small nations to an independent existence, as we are praying for independence after the war for Greece, Belgium and Serbia, or is their proximity to us, the wealth of their remarkable economic resources and their trade relationship to us, to give to our spectacles another hue as we look upon them? Shall the country remember what Mr. Wilson has said: "It is a very perilous thing to determine a foreign policy in the terms of material interest"? Shall the nation say with him: "Morality and not expediency is the thing that must guide us (in our relations with other nations), and we must never condone iniquity"—iniquity even in our own attitude and policy?

Shall the noble words of Wilson at Mobile apply only to conquest in war, or shall we make them a similar self-denying ordinance against that form of conquest which has given us practically complete control of Haiti and San Domingo, happily with but little bloodshed, but a control none the less as complete as if we had let General Pershing march to Mexico City and let him take over the whole government of Mexico. Many Americans have been killed in Mexico and much American property damaged; no such charge lay against Haitians or San Dominicans. Is the difference in our policy towards them wholly due to their difference in extent of territory? Is there to be further intervention of this sort to the south of us, dependent upon haphazard act or as the result of a well-thought-out policy? Surely, we can all agree that the vital importance of these relationships, not only as to those directly affected, but in their very great effect upon our trade and political relations with Central and South America, dictates that the administration of these wards should be in the hands of a Cabinet officer, and each dependency, temporary or permanent, represented as are Porto Rico and the Philippines by delegates to Congress. Perhaps it may be well, even, to establish a House of Colonial Delegates, in order that their special problems may profit by mutual interchange of ideas and of experiences.

Surely, some means must be devised for bringing the needs and desires of these very different peoples now under our care before the public, so that we shall not repeat in their case our nation's lamentable record in the matter of our Indian wards; so that, for instance,

when an admiral-governor suppresses a book and all the native press because he does not like the contents thereof, it shall be possible to get the facts before Congress, the government and the people. If such a one says, as one does today, that no native newspaper shall have any more right to criticize the American occupation of the island he controls than the Belgians have the right to criticize their cruel and overbearing conquerors, there should be some way of letting this be known outside the circles of officialdom, which are so apt to dismiss a question like this, even when it affects a fundamental human liberty, one expressly guaranteed by the Constitution of the United States, with a brusque: "It serves the beggars right."

In other words, the question before us is whether we are really going to set ourselves down to the task of governing well, according to the highest American tradition, these peoples who have no desire whatever to be governed by us and prefer to be governed poorly by themselves so long as they may have self-government and independence rather than be governed by outsiders whose culture and point of view in every fundamental thing are so alien. Shall we in the spirit of high humanity seek to establish with complete unselfishness, true democracy in these wonderful islands of Haiti and San Domingo, as against the autocracy of despotic or military control? Shall we not live up to the words of President Wilson in his war message, that "the world must be made safe for democracy"—safe, let us hope he meant, even from Americans? Certainly, there could be no better program for our conduct in Haiti and San Domingo than the President's assertion with which I began this paper. It is of the utmost importance for our own standing before the world that the several departments of the government whose duty it is to carry out the details of our foreign policy should not only conform to the high standards set by him, but should be still further committed to them by a detailed and definite promise registered in the eyes of all the world and before high Heaven itself. Any other course would surely give "aid and comfort" to the common enemy.

## THE RIGHTS OF SMALL AMERICAN NATIONS

## NICARAGUA AND COLOMBIA

BY HENRY R. MUSSEY, PH.D.,

Columbia University, New York.

In his remarkable book on Mid-Europe, Friedrich Naumann sees the world of the future divided among three or four great empires—British, Russian, American and possibly Mid-European. By a law of inevitable social evolution, Naumann maintains, these great superstates attract to themselves more and more power, looking after their own interests within the world's system, becoming economically self-sufficient, and making the states outside helpless against their tariff policy, commercial intrigues, limitation of imports, metal monopolies, cotton trusts, against their colonial dominion and world-encircling policy.<sup>1</sup> . . . . Small states which cannot carry through any tariff war, but need daily imports and exports, must in future be registered with one of the great world-firms, as soon as the superfirms themselves mutually separate off from one another even more than they had done before the war.<sup>2</sup>

Of course Naumann is thinking chiefly in terms of small European states, but is he or is he not describing what is actually happening in the western world as in the eastern? Is or is not the United States by steady process annexing, both economically and politically, her neighbors to the south of Mexico? Whether she is or not, is she, at each stage of her progress, taking scrupulous care to safeguard the rights of the small nations as interpreted by their spokesmen, and in this way avoiding any accumulation of grievances that may some day return to plague her? I shall confine my answer to the states of Nicaragua and Colombia.

Practically everyone admits some sort of right of a country's inhabitants to profit by its natural riches. All Americans do lip service, at least, to the right of self government. They agree that a stronger nation in dealing with a weaker should so far as possible safeguard these two rights. Our Caribbean neighbors have large natural riches, and they have not yet made a conspicuous success of self government. American capital seeking profit from Caribbean

<sup>1</sup> P. 193.<sup>2</sup> P. 195.



natural resources, like foreign capital in general, has not been too tender of the interests of the native peoples. When it has found their existing governments intractable or unfriendly, it has sometimes sought the support of our own government for a change, and it has not been wholly unsuccessful in such application. The great body of our people have neither known nor cared what was happening to the south of us, so long as it stirred up no war that called for anything more than a small force of regulars.

Nicaragua, the largest of the Central American states, has one unrivaled economic asset, namely, its canal route between the oceans. Aside from this, its riches are largely in its coffee- and cocoa-growing land. Its one railway is owned by the government, but a large New York banking house, by a loan of a million dollars, secured 51 per cent of the stock, and now directs the policy of the railroad. The same bankers similarly control the National Bank of Nicaragua, and they have a lien on the customs to secure certain loans.

From 1894 to 1910, José Santos Zelaya maintained himself practically as dictator of Nicaragua. During the last ten years of this period there were sixteen so-called revolutions. Zelaya was not satisfactory to the American interests in Nicaragua, and finally the United States lent diplomatic support to the revolution that overthrew him in 1910. Still things did not go to suit us, or indeed anyone else, and in 1912 we landed 2,600 troops, did some fighting, and put down another revolution—all this, of course, at the request of the government legally constituted—with our assistance. Our high purpose was thus stated by the Taft administration: The United States

will lend its strong moral support to the cause of legally constituted good government for the benefit of the people of Nicaragua. . . . The United States has a moral mandate to exert its influence for the preservation of the general peace of Central America.

In 1914 we again landed troops, and only by this means succeeded in keeping the existing government in power.

During these same years our executive was pressing for ratification a treaty which would give us large control over Nicaragua. The first treaty came to naught, and a new one was negotiated which was finally ratified by our Senate early in 1916, and two months later, after a bitter struggle, by the Nicaraguan government. By its

provisions, the United States, in return for a payment of \$3,000,000, secured: (1) the exclusive right to construct a canal *via* the San Juan River and the Nicaraguan lakes; (2) the lease of land for a naval base on Nicaraguan territory on the Gulf of Fonseca; and (3) a lease of Great Corn Island and Little Corn Island in the Caribbean Sea. (It may be recalled that the United States paid Panama \$10,000,000 and \$250,000 a year for the Panama Canal route.) Costa Rica, Honduras and Salvador at once brought suit against Nicaragua in the Central American Court of Justice, alleging that the treaty violated their existing rights.

The Central American Court of Justice was established at our instance in 1907 as a means of bringing to an end the disastrous wars that have ravaged the Central American states for a century. The court is composed of one member from each of the five states, and is authorized to hear and dispose of all questions between them, and under certain conditions, cases between them and other states. At the same time that the court was established, Honduras, the central and most belligerent state of the five, was at its own suggestion placed in a state of neutrality, guaranteed by its neighbors. The establishment of the court and the neutralization of Honduras together offered a promising means of keeping the peace among these troubled states, and the very first decision of the court, rendered the year after its establishment, prevented a war. The court is perhaps the most promising agency of its kind in existence.

Costa Rica's complaint was that Nicaragua had violated certain treaty rights of Costa Rica by agreeing without her consent to the canalization of the San Juan River, a boundary river whose waters reach the sea through Costa Rican territory. Costa Rica, as a lower riparian owner, is of course interested in anything that affects the waters of the river. The court, by a vote of four to one, Nicaragua alone dissenting, upheld the claim of Costa Rica that Nicaragua had violated the right of Costa Rica, but said that it could make no declaration that the Nicaraguan treaty with the United States was therefore null and void.<sup>2</sup> Nicaragua, with our military and naval power behind her, and our \$3,000,000 in her pocket, refused to acknowledge the jurisdiction of the court.

Honduras and Salvador had a different grievance. The Gulf of Fonseca, probably the best harbor on the Pacific outside San

<sup>2</sup> *World Court*, January, 1917, p. 370.

Francisco Bay and Magdalena Bay, is enclosed within the territory of three states, Nicaragua, Honduras and Salvador, the chief Pacific ports of the two latter countries being on that gulf. Modern guns placed at our proposed naval base on Nicaraguan territory will command these ports and practically the whole Honduran and Salvadorean part of the gulf. In this case, as in the Costa Rican one, the court decided four to one against Nicaragua, which in this case also refused to acknowledge jurisdiction. As regards both the two great concessions granted us by the treaty, then, the court's decision is unequivocal that the rights of the complaining states have been disregarded by Nicaragua. I shall not try to discuss the merits of the controversy. It is vigorously asserted that the Nicaraguan government which refused to accept the decision of the court is a government practically brought into existence by the United States and supported by our warships and marines, against the protest of a majority of the Nicaraguans. Be that as it may, the Nicaraguan refusal to abide by the decision of the court threatens the destruction of that agency, and threatens the failure of the plan of neutralizing Honduras. Needless to say, it is piling up irritation and suspicion against the United States, despite our fair words inserted in the treaty itself: "It is declared by the Senate . . . that nothing in said convention is intended to affect any existing right of any of the said named states."<sup>4</sup> Of course not, and yet the Central American Court of Justice all but unanimously decides that our treaty does so affect their rights.

Of the Colombian situation I shall say little. The facts are of public record, proudly avowed by the chief actor. The alleged "holdup" of the United States by the Colombian rejection of the Hay-Herran treaty calling for a cash payment of \$10,000,000 and an annual payment of \$250,000 besides, the unsavory story of the activities of the old French company in trying to dispose of their concession before it should run out, the bloodless "revolution," arranged in New York, staged in Panama, and carried out with the careful collaboration of our military and naval forces, and the hair-trigger recognition of the new republic by the Washington authorities—all these are undisputed facts. We dug, and fortified, the canal, and gave Colombia a permanent grievance, which we have been trying ever since to find some way to redress without saying

<sup>4</sup> Costa Rica, Honduras and Salvador.

that we were at fault. Various treaties have been proposed; all have failed of ratification. A few months ago, it is reported, a number of the most influential journals in Colombia urged the withdrawal of their country from the Pan-American Union as a measure of protest against the failure of the United States to rectify what they consider their country's grievous wrong. It would be difficult to exaggerate the bad effect produced throughout the Caribbean region by our action in the whole Colombian matter, or the amount of ill-will and suspicion it has added to the burden we were already carrying as the most prominent strong power operating there to support the designs of its forward-looking capitalists.

With the recital of these simple and well-known facts I need only state my point, which is a very simple and evident one. We have at present the power to make our will supreme in the Caribbean basin. In the two cases mentioned that power has been used to carry through our own policy in contravention of what the leaders of the small nations affected rightly or wrongly conceived to be their rights. In consequence we have begotten a hostility which, while not yet actually of serious dimensions, none the less contains possibilities of importance in any case of foreign complications, as we realize today in our relations with Germany. Every unadjusted problem of this kind means the need for more soldiers and battleships in order that we may be able to enforce our view of the right upon our unwilling little neighbors, and as all experience shows, such a development is unfavorable to the settlement of new questions on terms that both parties consider fair. Might we not well have a permanent government commission, or a bureau in the state department, whose essential business should be the consideration of the economic no less than the political aspects of American investment abroad? Unless we turn attention seriously and sympathetically to these questions, we are in grave danger, despite the good intentions of our state department, of violating increasingly what our smaller American neighbors consider their rights. They stand in sore need of friendly help in their struggle for economic betterment and stable self-government. If we still hold our historic belief that they can finally attain these ends, we can pursue a policy of friendly cooperation with their governments and people, and not a blundering policy of unquestioning support of whatever American financial interests happen to be dominant in the respective states. On the other hand,

if we have lost our ancient faith, we can consistently carry out a policy of frank imperialism, based on our idea of what is good for the Central Americans, and for us, and forced upon them by our armed might. But in that case we ought not to forget the words of Theodore Ruyssen:

Coercion from without results in uniting incongruous elements until at last the day comes when the nationality, however complex in its origin, united in aspirations, considers itself ready to occupy a place among the nations, and rises up against its oppressors to claim a place in the Sun of Liberty.

## **"WAR TO STOP WAR"**

### **EMERGENCY COMPULSORY SERVICE IN AMERICA TO CRUSH THE SYSTEM OF COMPULSORY SERVICE FOR ALL CHILDREN OF MEN EVERYWHERE**

**BY JOHN SHARP WILLIAMS,  
United States Senator from Mississippi.**

We find ourselves as a nation in a very paradoxical sort of situation. In giving the reasons for standing where we are, we must indulge in phrases that seemingly contradict themselves. We are carrying on war with the hope of putting an end to war. We are using the ordinary method of settling international quarrels—war—with the hope that by indulging ourselves in this one hideous thing, once more, we may avoid in the future the recurrence of other hideous things like it. Then we are resorting to compulsory universal service in an emergency for the purpose, if we can, of freeing the world of the dogma and burden and weight and folly and idiocy of universal military service all over the world, with the hope that after the potency of this great republic has been added to the power of those in Europe who are fighting for civilization and liberty and freedom and the ordinary usages of civilized society, that there will be no need—here, or there, or anywhere—for universal compulsory service. We do this with the idea in our heads that we are going to enforce upon all the nations of this world, whether they will or not, that they shall not keep their populations in armed camps, threatening the peace of the other nations of the world and forcing them to imitate their example.

I have been a peace fanatic—am yet. I think that war when it is not insanity is idiocy. There is no excuse for it, and there ought to be somehow, somewhere, a court with force behind it that can say to the lawbreaking nations,

The first one of you who dares make war upon another civilized power without having first proposed to leave the question in controversy to an impartial tribunal for settlement, is thrown thereby outside of the pale of international law—is for the nonce to be treated as a non-civilized power—a barbarian power—and readmitted into the pale of civilization only when you repent, not by word, but

by deeds, for the sin against all mankind which you have committed. For the time being of your international lawlessness, at any rate, you become not the enemy of the country against which you are waging war, but the enemy of mankind, and all civilized power representing mankind will by force teach you that lesson any time it shall be necessary.

I don't care what you call it, a "concert of the world powers," or as I like to call it, "an amphictyonic council of the civilized world." Whatever it may be called, mankind must learn in international quarrels what they have learned in individual quarrels among civilized people in any given country, that is, that the league is backed with sufficient power just as a court to settle personal disputes. If the quarrel should be improperly decided, then even that is better than that every man should take his quarrel into his own hands and settle the controversy by the fist of the strongest or the wit of the cunningest.

Of course, this plan is not going to stop all war. There are wars founded upon deep differences of traditions and institutional policies, that may come anyhow. Most of them, however, are founded upon other things, like this war, for example, that ought by all means to have been avoided. Who pretends that Austria really made war upon Serbia because a Serbian by blood but an Austrian by nationality—half crazy—assassinated a grand duke and his wife? Who believes it? Who believes that if the proposition made to her to leave the question to the concert of Europe or to leave it to The Hague or to leave it to an impartial tribunal, had been accepted, there would have been any war at all? Who is there that does not know that the real cause of the war was the determination to open up for the Teutonic powers the line from Berlin to Bagdad by way of Belgrade and Salonica so that there might be an open way through Serbia for the Central Teutonic powers? Who does not know that all this talk about a "place in the sun" for Germany was folly and pretense? There was plenty of place in the sun. That the real God's truth was that Germany was increasing her population by immigration every year more than it was being decreased by emigration and that there were no "pent-up populations" "without room for their energies?"

So much for that. I am in favor of compulsory service in war time. I am opposed to it in peace time. But there is very little use of debating right now about having or not having that system in peace time, because it depends upon how this war is going to

result, as to what is going to become, at its end, of the system. If Germany wins this war, we will have to keep up universal military service indefinitely, because Belgium will become a part of her empire, France will be a vassal state whose international relations will be controlled by the German ambassador at Paris; Holland will be a vassal state. Denmark, with her hands in the lion's mouth, will be another. All the seacoast of the North Sea and the English Channel will be subject to her power. All the shipbuilding industries, rivers and harbors and naval yards of those countries will be hers, and "the master of the land" will proceed to become "the mistress of the sea." She and her allies are pretty nearly withstanding all Europe now, even with the miraculous seapower of England cast into the balance against them. And without our aid she would have to go down, and if England went down, our time would come now.

If Germany wins, we will have to keep up this miserable thing forever. 'No, not forever but until we and England only or perhaps we alone, under God's grace, can whip it. If we win, not only here but all over the civilized world, we can say that a nation shall be allowed to keep a standing army in times of peace with so many men in it, the same number for each nation—great or small—so that the small power can't be taken unawares and ridden over. Even that will not deprive the great powers with the great populations and resources of their natural advantages, because in addition to the troops in the field, which will be about all that the small powers can maintain, the great powers will have behind them their immense populations and their immense financial resources and every national advantage which they can conserve and in need summon and mobilize.

We are in the war now. We didn't want to go into it. We submitted to being kicked. We submitted to having written notice served upon us that we were going to be kicked again. Then we said, "We don't believe the Kaiser really means to do it and we will wait for the third kick." Then the Algonquin went down and three more American ships—four kicks. Now we are in it.

There are some things in this world that men must fight for. War is idiocy when it is not insanity. It is a perfectly hideous thing for men to be shooting one another, widowing the women, orphaning the children, destroying the churches and the uni-



versities and the libraries, making to crumble in one short year the accumulations of mankind for a hundred years; but there are some things in the world worse than that, and one of them is for a great people to submit indefinitely to humiliation until it loses its own self-respect and by thinking itself contemptible, becomes contemptible.

"Beware of entrance into a quarrel, but being in it, bear thyself that thy opposite may beware of thee." We are going to do that. I don't say I think we are, I say we are. I know this people. Whatsoever must be borne in order that this struggle may be carried to a successful issue and that world militarism may be brought to its knees, begging for mercy and agreeing to do justice in the future, we shall bear. Whatsoever it shall cost in order that that issue may be accomplished, we shall pay it; and whatsoever must be endured to prevent the possibility of the recurrence of the hideous spectacle to which we shall put an end by our victory, that we shall endure. And in doing these things, I think we will find that all sections and parts of this country will hang together. We had better do it, as Benjamin Franklin said, unless we want to hang separately.

And so it is with the civilized powers of the world in the face of this great military idealism. People who have ceased, without knowing it, the worship of Christ and have gone back to worshipping Thor and Odin—the gods of the Goths and Vandals; people who, or whose rulers, rather, not they, have come to the deliberate conviction, after study and philosophizing under teachers in universities, under statesmen like Bismarck, under military leaders like Bernhardi, that a state is bound by no moral law and that the interest of a state must constitute the state's right; in other words, that in international law, might is right and that the necessity of the state overcomes all moral considerations of every description, must have their sanity restored. This strange, curious form of insanity makes a state a separate entity of some sort, as if God had created cows and horses and men and then created something which He called a state; and this state-worship is more or less bound up with the idea that the man who hereditarily governs the state really does "rule by divine right"; that the state exists by divine right and that God created the state forgetful of the fact that after all, men created every state or else some one man, by superior

power and conquest, created it. What idiocy in the face of history! The idiocy of putting the creature before the creator of it!

A man not long ago wrote to me: "You Americans don't seem to understand the German idea of the state. You think of it not as a separate thing with a separate code of its own, but you think of it as you do of an individual." I wrote to him that as far as I was concerned, I was guilty; that I had never conceived of any government tolerable to man that wasn't founded upon the fact that men created it and that men had created it for the protection of their lives and liberties and civilization; and if any government didn't do that, men ought to tear it down, no matter what the name of it was, monarchy, empire or republic.

He thought that the state was an independent entity, and I said I regarded it as a creature. I regard the men and the women and the children as the things to be taken care of, and the state is there only for that purpose. I said, "You seem to think that William the Kaiser has been ordained of God to govern you, and you seem to think as a perfectly logical conclusion that the government which governs anybody is ordained of God to do whatever it pleases."

I read this recently, which you would think was written right now in America:

We are fighting for that which we love, whatever we call it. It is the right, but it is something even more than the right: for our lives, for the liberty of western Europe, for the possibility of peace and friendship between nations, for something which we should rather die than lose; and lose it we shall unless we can beat the Germans. Yet I have met scarcely a single person who seems to hate the Germans. We abominate their dishonest government, their unscrupulous and arrogant diplomacy, the whole spirit of blood and iron ambition which seems to have spread from Prussia through a great part of the nation—but not the people in general.

That is true with us today, isn't it? I haven't found in all America, one single man, though there may be some, that had in his heart one iota of hatred for the German people today. There is none that desires to avenge something, although we can hear the groans and the dying gurgles of the men and women and children who died from the *Lusitania*; yet with all that, there is none of that spirit of hatred that generally carries a people into a war. And God grant that there may be none, because when this war is

over we want to have a "just and durable peace," because a peace dictated by victors in a spirit of hatred is never just and is seldom durable.

We don't want to "crush Germany"—God forbid. We want to crush the system under which Germany is now laboring, and laboring under which, she has become a menace to the civilized world. If I could dictate the terms of peace tomorrow, I would say

Let Alsace-Lorraine go. Let Schleswig-Holstein go. Austria, let Bosnia form a government with her own Serbian kindred. Let Herzegovina go with her Montenegro kinspeople. Turn the Roumanians in Transylvania loose. Free Bohemia from Hapsburg rule. Reign over the Magyars if they wish that you should. Russia, Austria and Prussia, all three, let Poland be reestablished once more as an independent power upon the surface of this globe, with rights of citizenship. Germany, let Belgium go. Turn Luxemburg loose if she wants to be. If there is any doubt about the will of the people in any of these countries, let them decide whether they want to go with you or go back to their kin.

But I wouldn't crush Germany. On the contrary, I would make Germany stronger than she is now. The German population of upper Austria and of lower Austria and of the Tyrol and of Salzburg and of any other province outside of the German Empire, I would add to the German Empire and make it stronger than it is today, and I would base nationality on the commonness of language, because you can't have a durable peace unless that is the case. Now that might result in crushing the House of Hapsburg, and it would do it very effectively, but it wouldn't crush the German people.

Says another, not an American:

We seek no territory, no aggrandizement, no revenge. We only want to be safe from the recurrence of this present horror. We want permanent peace for Europe and freedom for each nation. Crushing Germany would do no good. It would point straight towards a war of revenge. It is not Germany, it is a system that needs crushing. It is not that we happen to be sick of this particular war; it is that we mean, if we can, to extirpate war out of the normal possibilities of civilized life, as we have extirpated leprosy and typhus. We hate war so much that we shall carry it on in order to abolish it.

First of all, we want no revenge, no deliberate humiliation of any enemy, no picking and stealing of money or territory; next, we want a drastic resettlement of all those burning problems which carry in them the seeds of European War, especially the problem of territory. Many of the details will be very difficult, some may prove insoluble, but in general, we must try to arrange, even at considerable cost, that territory goes with nationality. And shall we try again to

achieve Castlereagh's and Alexander's ideal of a permanent concert, pledged to make collective war upon the peace-breaker? Surely we must.

Of course, all these hopes may be shattered and made ridiculous before the settlement comes. They would be shattered, probably, by a German victory, not because Germans are wicked but because a German victory at the present time would mean a victory for blood and iron. To prevent the first of these perils is the work of our armies and navies; to prevent the second should be the work of all thoughtful non-combatants. It may be a difficult task, but at least it is not hideous, though some of the work that we must do in order to accomplish it may be; so hideous, indeed, that at times it seems strange that we can carry it out at all—this war of civilized men against civilized men, against our intellectual teachers and compeers, our brothers in art and science and healing medicine, and so large a part of all that makes life beautiful. We must fight our hardest, indomitably, gallantly, even joyously, forgetting all else while we have to fight. When the fight is over, we must remember the phrase, "Never again!"

"Never again! Somebody advised not long ago that those words should be carried upon the kit-bag of every English sailor and upon the knapsack of every English soldier." "Never again" I say, a thing like this for us or for our brethren elsewhere. Our brethren, because all the children of God are brethren, whether they be Germans or Russians or French or Belgians or Americans. We are fighting to reëstablish the brotherhood of man and to crush forever the doctrine that anybody has the right, for the sake of making himself or his nation more powerful than other people, to ride, rough-shod over men and women and children as Germany did in Belgium without even herself contending that they had even in the slightest degree provoked enmity by any act or word or intent, and then afterwards killed the civil population because they sympathized with their own brethren and their own land and because they had dared, as a little people, rather to die free than to live slaves.

So I say as this author says about the British soldier going out with "Never again" inscribed upon his knapsack,—I want every American who goes forth to go with that on his knapsack, and if he can't put it upon his knapsack, put in his heart at any rate: "Never again."

It means a great deal, because it furthermore means that you are so resolutely determined that this hideous thing shall never again occur that you have made up your mind you won't quit fighting now until you are sure that you can make it tolerably certain that it never again will occur.

Now, these words I quote are not my words. They are the words of Professor Gilbert Murray of Oxford University, pronounced in an address in 1914. He concludes by saying "One may well be thankful that the strongest of the neutral powers"—referring to these United States—"is guided by a leader so wise and upright and temperate as President Wilson."

## A LEAGUE TO ENFORCE PEACE

BY WALTER L. FISHER,

Chicago.

The immediate cause that has involved the United States in war today is that our ships are being sunk and our people killed while they are lawfully engaged in peaceful commerce on the seas; but important as is the immediate protection of our national rights and of our people's lives against other nations who are engaged in war, this alone would not have drawn us into the war. We are at war because we believe there is a compelling necessity and a real opportunity "to make the world safe for democracy"; to end militarism as a political system; to destroy Prussianism as a national philosophy. We are at war, and our immediate task is to make war effectively. But if we cease for one moment to keep in mind the deep underlying purpose of our warfare, and the great object we hope and intend to accomplish by it, we shall weaken the very effectiveness of our warfare. We shall be of those who gain battles and yet lose a war. I agree entirely with the sentiment expressed by Senator Williams<sup>1</sup> with regard to that motto which should go upon the knapsack of the soldier, "Never again"; but unless the men and women of America who are not soldiers have that motto written in their hearts and express it in action, then indeed the sacrifice of the soldiers will have been in vain.

Two years ago Lord Grey uttered the profound truth that

Unless mankind learns from this war to avoid war the struggle will have been in vain. . . . Over humanity will loom the menace of destruction. If the world cannot organize against war, if war must go on . . . the resources and inventions of science will end by destroying the humanity they were meant to serve.

<sup>1</sup> See page 178.

And in December of last year, in one of the most remarkable and significant documents that have been published in Germany since the war began, Dr. Bernard Dernburg, formerly Colonial Secretary and for a time the accredited agent of Germany in this country, expressed almost identical views:

It certainly sounds foolhardy to speak of a reconciliation of nations in these times of bitterest hate when the slaughter of nations is at its zenith. Nevertheless it is necessary and inevitable. If no lasting peace comes, peace based on confidence alone, then inevitably there will come another war, and this new war can end only with the mutual annihilation of the nations of civilized Europe. Manly courage and manly strength are no longer the decisive factors; unfortunately the decisive factor is the machine. If mankind is to give thought for ten years more to machines for destroying life and property, another war at the present rate of technical development will mean the end of Europe.

International law is now a desolate heap of ruins, but it must be rebuilt and it must so regulate the relations of nations to each other that they must stand under its protection as free states, possessing equal rights, whether they be large or small. This protection must be exercised by the common power of all, either by force or by a common ban placed upon a transgressor which would be equivalent to barring him from intercourse with the rest of the world.

Nor should we overlook the declaration of the German Chancellor himself which led to Dr. Dernburg's discussion of the international situation:

When the world at last realizes what the awful ravages in property and life mean, then a cry for peaceful agreements and understandings will go through all mankind which will prevent in so far as it lies within human power the recurrence of such a tremendous catastrophe. This cry will be so loud and justified that it must lead to a result. Germany will honestly coöperate in the examination of every endeavor to find a practical solution and will collaborate for its possible realization.

President Wilson delivered a great speech when he stated to Congress the reasons which had compelled him to break off diplomatic relations with Germany, and to ask Congress to join him in declaring the existence of a state of war; but he delivered a far greater speech on January 22, 1917—a speech which, in my judgment, will live as the most important utterance of an American President since Abraham Lincoln spoke on the field of Gettysburg. If he or we lose sight of the reasoned utterances of that address or of the fundamental principles he stated, we shall just to that extent fail to grasp the issues and the opportunities of the titanic struggle of which we have now become a part,

It is said that these were but words and that what we need is deeds; that actions speak louder than words. May I suggest that words are sometimes deeds; and that the utterance of a speech like Lincoln's at Gettysburg or like Wilson's in the Senate may be as truly a deed as the unfurling of a standard about which men may rally, or the sounding of the bugle that calls them to the colors; and every ear that is deaf to that trumpet call, and every step that is taken away from that standard, lends aid and comfort to the enemy and lessens the chances of success in war and of a greater victory in peace.

We shall do well to turn, again and again, to the declarations of President Wilson when we were yet free from the hurries and the hatreds of war. If they were the words of truth and soberness three months ago, they are as true today and more sober.

In the very address which led to our declaration of the state of war, the President said:

I have exactly the same things in mind now that I had in mind when I addressed the Senate on the 22d of January last; the same that I had in mind when I addressed the Congress on the 3d of February and on the 26th of February. Our object now as then is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles.

We will do well, therefore, to refresh our recollection of what the President did say on January 22:

. . . . The present war must first be ended; but we owe it to candor and to a just regard for the opinion of mankind to say that so far as our participation in guarantees of future peace is concerned it makes a great deal of difference in what way and upon what terms it is ended. . . . The question upon which the whole future peace and policy of the world depends is this: Is the present war a struggle for a just and secure peace or only for a new balance of power? If it be only a struggle for a new balance of power, who will guarantee, who can guarantee, the stable equilibrium of the new arrangement? Only a tranquil Europe can be a stable Europe. There must be, not a balance of power, but a community of power; not organized rivalries, but an organized common peace.

Fortunately we have received very explicit assurances on this point. . . . But the implications of these assurances may not be equally clear to all—may not be the same on both sides of the water. I think it will be serviceable if I attempt to set forth what we understand them to be.

They imply first of all that it must be a peace without victory. It is not

pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments. Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be adopted in humiliation, under duress at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand. Only a peace between equals can last; only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance. . . .

And the paths of the sea must alike, in law and in fact, be free. The freedom of the seas is the *sine qua non* of peace, equality and coöperation. . . . Difficult and delicate as these questions are, they must be faced with the utmost candor and decided in a spirit of real accommodation if peace is to come with healing in its wings and come to stay. . . . The statesmen of the world must plan for peace and nations must adjust and accommodate their policy to it as they have planned for war and made ready for pitiless contest and rivalry.

If these words are to rank as deeds and are to beget deeds, they must proceed resolutely from general principles to practical and definite proposals. It is absolutely imperative that we shall now, in the very midst of this war, while we are preparing for it and fighting in it, discuss the policies and formulate the plans which, in the words of President Wilson, are to result in "a world organized for justice and democracy." The plans may not be executed now, but their essential features must be devised and formulated now or they will never come into existence when peace is declared.

Even last November the *Times* said:

We agree that neutrals cannot do a better service to the cause of peace after the war than by the present discussion and advocacy of a practical system of the kind, if such a system can be devised.

And Lord Grey declared: "The best work the neutrals can do for the moment is to try to prevent a war like this from happening again."

If the discussion of the plans upon which a just and durable peace can be secured and maintained constitutes the most useful service which neutrals can perform in the midst of the war, this is also the most useful service which the belligerents can perform. A clear understanding of just what is to be the end of all the fighting can lessen the vigor of the fight only if there be some question of



the importance and the justice of the end. Now that we ourselves have ceased to be neutral, we have no higher duty to ourselves and to the world than to keep our minds open, our vision clear, our speech free, and our hands busy, for the accomplishment of the great purpose of the war, and we should have no understanding or commitment that will prevent us from making peace ourselves and from urging peace on others the instant that great purpose can in our judgment be obtained. Our fight is "to make the world safe for democracy." If in order to accomplish this it is necessary first to destroy militarism it is all important that we shall understand of what militarism consists, and we must not confuse militarism with its results nor fail to recognize it in our own councils and in the councils of our friends.

The essence of militarism is the belief that war is the natural, the necessary, the normal means by which international differences of opinion must be adjusted; it is the tendency to decry and to belittle the slow processes by which mankind as individuals and as nations has climbed up out of barbarism by substituting law for force. It is the conception of the state as something above and beyond moral law. Militarism is not ruthlessness; it is not cruelty; it is not savagery; it is the principle from which these evils spring. Once believe that war is inevitable and that preparedness for war is the only practicable assurance of peace, the inevitable result is the exaltation of force, the justification of cruelty, the acceptance of a despotic theory of the state, more blighting in its curse than the despotism of kaiser or king or czar. Once cease to plan for peace and there is nothing left but to plan for war. If mankind is to progress, if civilization is to go forward, nations must be held to the same moral standards as are individuals, and nations must progress little by little, step by step, as individuals have progressed. It is as true of international as of national or community affairs, that the progress of civilization can be exactly measured by the extent to which law has superseded force.

The issue that will confront the world at the close of this war, and which indeed confronts it now, is whether we are to put an end not only to militarism, but to the false doctrine that enduring economic interests can be promoted by force. Temporary advantages may be secured by the exploitation of other nations, espe-

cially—perhaps exclusively—undeveloped peoples and undeveloped lands, but in the long run the economic interests of the world are mutual. If, as we believe, the welfare of the mass of the people is the real test of national success, every nation has most to gain by helping to advance the trade of the world, to make all nations prosperous while fostering its own commerce by every means consistent with sound economic laws. Privilege may gain from exploitation, but not democracy; and democracy has come to stay as the economic, social and intellectual ideal of civilization even more than as a political ideal. So far as the happiness of the mass of mankind or of the masses of any particular nation is concerned, there should be neither exploitation nor a “war after the war” by hostile alliances in the world of trade.

I am advocating no diminution of the vigor with which we should prepare for and prosecute this war. I am merely insisting that we should know definitely for what we are fighting and for what we are to continue to fight. We have voted billions of money and authorized the training of millions of men. While these plans are being carried out with all the intelligence and energy which can be effectively applied to them we must not fail to see that even from the distinctively military point of view the formulation and announcement of plans for a just and durable peace is the most effective weapon we can wield. The presentation by the allied powers, with the support of the United States, and if possible of neutral nations, of a plan of international reorganization that would make it no longer possible for the Prussian military caste to persuade the German people that they must fight in self-defense would be worth more than millions of men on the fighting line in France.

Let no man belittle the influence of the argument of self-defense in Germany. It was Lloyd George himself who, at Queens Hall, in July, 1908, said:

Look at the position of Germany. Her army is what our navy is to us—her sole defense against invasion. She has not got a two-power standard. She may have a stronger army than France, than Russia, than Italy, than Austria, but she is between two great powers who in combination could pour in a vastly greater number of troops than she has. Don't forget that, when you wonder why Germany is frightened at alliances and understandings and some sort of mysterious workings which appear in the press and hints in the *Times* and the *Daily Mail*. . . . Here is Germany in the middle of Europe, with France and

Russia on either side and with a combination of their armies greater than hers. Suppose we had here a possible combination which would lay us open to invasion—suppose Germany and Russia, or Germany and Austria, had fleets which in combination would be stronger than ours, would we be not frightened, would we not arm?

We shall not remove this fear by defeating the German armies in the field or by imposing upon Germany the terms of peace. The *English Round Table* was right when it declared that "Prussianism, as a philosophy of war, will live until the German people themselves have rebelled against it." And a thoroughly posted and thoughtful American has said: "Germany can be made a liberal state only by her own liberals. No artificial liberalism imposed by the allies on a defeated Germany would last a month after the withdrawal of the allied army."

We must not make the mistake which has so discredited those intellectual leaders of Germany who by their manifesto demonstrated their inability to see anything but the German point of view. We must not make the mistake against which Burke warned us and attempt the indictment of a whole people. If we hope to make any progress toward permanent peace we must recognize that there are Germans who are not militaristic and who sincerely desire what we desire, even though we may sincerely disagree as to the methods by which it is to be accomplished. We must welcome every approach which such Germans make toward a better understanding; because our claim to infallibility is no better than is theirs, and it is of great importance to the world that the German people shall be brought to understand that militarism is not essential to their security or to their progress as a people.

If this is not the time for the formal offer of terms surely it is time to consider what these terms should be. If we are fighting for democracy, then democracy must discuss the terms upon which the fight shall cease. The old processes of secret diplomacy must end and they can end only by the substitution of free discussion which shall take place, so far as possible, before the event and not merely after it.

On April 2, President Wilson said:

Cunningly contrived plans of deception or aggression carried, it may be, from generation to generation, can be worked out and kept from the light only within the privacy of courts or behind the carefully guarded confidences of a

narrow and privileged class. They are happily impossible where public opinion commands and insists upon full information concerning all the nation's affairs.

The events of the past few weeks should—it seems to me—have removed from the minds of thinking men the last lingering doubt of the wisdom and the necessity of a League to Enforce Peace to which the United States shall be a party. We have been given a convincing demonstration that we cannot keep out of the war by avoiding international alliances. No matter how beneficent our purposes, how pacific our policies, peaceful isolation has become impossible in a world at war. If we would maintain our own peace we must do our part to maintain the peace of the world. And what is true of us is true of every other great nation. For weal or for woe the restless energy and inventive genius of man have knit the nations of the earth together; and the inexorable laws of industrial and social evolution have made out of many peoples one people for all the deep and vital issues that affect the future of mankind. We cannot avoid our share of world responsibility if we would, and we should not if we could.

More than a year ago I advocated before the House Committee on Military Affairs, and again before the Senate Committee last December, the creation of a citizen reserve, trained by and through the regular army, and the building of submarines and destroyers instead of dreadnaughts and battle cruisers, at least for the present—a policy that if adopted would have been of incalculable value to us; but “preparedness” for war on land and sea would not have saved us from becoming involved in this war, nor will it save us in the future. A million men in arms in the United States today would not have deterred Germany from her desperate resolve to rule the seas with terror that she might bring England to her knees. Even our allies impress upon us that the issue will be decided on the ocean. We have a navy substantially equal to that of any of the Allies except England and yet it does not keep us out of war. It is folly beyond belief to think that in the future we can build ships or train soldiers enough to protect our national interests if we are to stand alone in selfish isolation while the rest of the world is left in bitterness to tread the bloody wine press.

The progress of civilization is measured by the extent to which law has become a substitute for force or has been put in control over force. Within the nation—in all community affairs—this is ac-

cepted as axiomatic. It is a sound axiom for international relations. The punishment of crime and the settlement of the rights of persons and of property is now recognized almost—although not quite—universally to be the function of the state in all communities that claim to be civilized. In these very communities, however, this has been accomplished not by completely prohibiting fighting at the outset, but by first restricting and regulating private vengeance and resort to force. The first step toward peace is to delay war—private or public,—the second step is to prohibit it. A study of the history of civilization from its primitive beginnings discloses many illustrations, but time permits reference only to two.

One of the most interesting and significant of Anglo-Saxon institutions was the trial by battle, which was long recognized in England as a form of judicial procedure under which the parties litigant could settle their controversies and determine their rights by personal combat in the presence of the court; but this could be done only after resort to the peaceful processes of the tribunal. This rudimentary device for substituting law for force by delaying war was undoubtedly akin to the duel, which was originally established by the Germans, Danes and Franks as a judicial combat between the parties or their champions by which the guilt or innocence of individuals and property rights of many kinds, including rights in land and titles to estates, were determined. So universal was its application that only women, cripples, invalids and persons over sixty were excused from submitting themselves and their rights to personal combat. It was under the pseudo-chivalry of Francis I of France and Charles V of Spain that the duel attained its vogue as the "code of honor," under which "gentlemen" were permitted to commit murder under the sanction of an "unwritten law." Only recently has it been recognized as a survival of savage customs and standards. Even now, despite legal prohibitions, it lingers, not only in Germany, but elsewhere, as an evidence of retarded development, of intellectual and moral immaturity. Nevertheless, the duel marked a great advance over the chaotic reign of force which it superseded. As Colonel Benton said in his account of the duel between John Randolph and Henry Clay, "Certainly, duelling is bad, but not quite so bad as its substitutes—revolvers, bowie knives, blackguarding and street assassinations, under the pretext of self-defense." We have many men still left

among us whose conception of national honor and international relations has not yet progressed beyond the *code duello*, and some who oppose bringing nations up even to its standards. In the discussion to which I have already referred, after stating that the objects upon which the entire world is in agreement "are to be attained only by a supernational union of nations," Dr. Dernburg says:

To accomplish all this will be difficult, and there will be many ups and downs, since even among the most enlightened minds of Germany there is an indefinite prejudice against the loss of sovereignty and free agency which is implied in these ideas. Our Hindenburg, for instance, said, a few days ago: "Questions of honor and self-preservation can never be submitted to courts of arbitration." I take the liberty of differing with him. Every officer whose honor is insulted is not permitted to take up arms without further ado; he must submit to a court of honor composed of his friends, and these are in duty bound to try every means to bring about an honorable compromise. Nations too must do that. Naturally every duel is not avoided by such means, but if the officer, despite the decision of the court of honor, has recourse to weapons, he ceases to be an officer and disappears from among those of his caste. That is what will happen also among nations. They will not abide by decisions and they will bear the consequences. There are occasions among individuals as well as nations when destruction is preferred to surrender. Yet that is no argument against courts of honor and courts of arbitration. The object of both is to curb unjustified provocation and unbridled pugnacity. Moreover, the question of what is incompatible with honor or national existence is so elastic that to withdraw it from the jurisdiction of courts is equivalent to depriving every court decision of permanence, and thus doing away with trust in such decisions.

The League to Enforce Peace does not propose to prevent us from fighting if we wish; it merely requires us to go before a board of arbitration, or a council of conciliation before engaging in war. It does not undertake to enforce the award of the one or the recommendation of the other. This hideous world war may make it possible to go much further than this in international reorganization, but the strength of this movement at present lies in the moderation and simplicity of its proposals. It seeks to do today what can be done today in the way that is available today. It leaves to tomorrow the adoption of methods and the accomplishment of objects that tomorrow alone may make attainable. Quite sufficient for the day are the difficulties thereof and the advocates of this league of peace do not overlook or minimize them. They simply do not regard them as insuperable. Confident in the power of a great

purpose and in the resources of statecraft, they are the proponents of a principle not the draughtsmen of a treaty.

They propose a league open to all who accept its conditions—a league which binds its own members not to engage in war between themselves until they have first submitted their difference, if this difference is justiciable (which means determinable upon established principles of law or equity), to an international court or board of arbitration, or to a council of conciliation if the difference is one involving a conflict of national interests or policies not justiciable in their nature, such as the Monroe Doctrine or our policy with respect to oriental immigration. The nations joining the league agree to use their economic and if necessary their military forces against any of their number who begin hostilities without first resorting to the methods thus provided for the avoidance of war. In order that the field of adjudication may be steadily enlarged, the signatory powers are to hold conferences from time to time to formulate and codify the rules of international law, the results to be binding unless rejected by some power within a stated period.

I for one believe it would be an admirable thing if we had to define and defend the Monroe Doctrine at the bar of reason before resorting to its defense by war. We may ourselves conclude to modify some of our ancient declarations and to moderate some of our ancient claims. We all know that since Monroe initiated that doctrine, conditions have radically changed; and Monroe's declaration has been so altered and enlarged by various statesmen and publicists in this country that its putative father would certainly not recognize it in the forms it frequently assumes at the present time.

We are all probably familiar with the story of that man who was accused of being a traitor to his country because he did not believe in the Monroe Doctrine. He indignantly repelled the insinuation and said:

What, not believe in the Monroe Doctrine? I believe in it with all my heart, I would be willing to fight for it and if necessary to die for it. I never said I did not believe in the Monroe Doctrine. What I said was I did not know what the Monroe Doctrine is.

The Monroe Doctrine probably reached its extreme development when Richard Olney, as Secretary of State, declared that it meant in effect that "the United States is practically sovereign on

this continent." But it is of the greatest significance that only a few months before his death Secretary Olney, in an able discussion of these very matters, in the *North American Review*, demonstrated "the necessity of determining, with the least delay practicable, what our future Latin-American policy is to be," and said:

Shall we preserve, unchanged, our traditional attitude as the champion of every American state against foreign aggression, without regard to its consent or request or its preference to take care of itself or to seek some other ally than the United States, and without regard to the surely incurred hostility of the aggressive foreign power? It has often been claimed, and sometimes effectively asserted that the United States, in its own interest and for its own welfare, must firmly resist any surrender of independence or possession of territory by an American state to a foreign power, even if the same be entirely voluntary. Suppose, for example, that an American state undertook to permit an oversea power to plant a colony on its soil, and to convey to it a port or a coaling station, is the United States to resort to war, if necessary, in order to defeat the scheme? These are only some of the inquiries which go to show the necessity of a speedy and comprehensive revision of our Latin-American policy.

Why should we seek understanding and alliance with South America upon our common interests, while we reject alliances with Europe upon interests of vastly more importance to us than any interest we now have or are likely to have with the Argentine or Chili? By all means let us cement bonds of mutual interest and of mutual obligation with South America, but let us not refuse to do our part in a field of greater interest and of greater obligation. Let us not forget that truth which William G. Sumner announced, when he said: "If you want war, nourish a doctrine. Doctrines are the most frightful tyrants to which men ever are subject, because doctrines get into a man's own reason and betray him against himself."

So it is with that ancient doctrine that the United States should avoid "entangling alliances"—a phrase usually attributed to George Washington but in reality used by Thomas Jefferson, and a phrase which now needs at least some clarification. I have recently re-examined the history and contents of Washington's farewell address and Washington's illuminating correspondence relating to these matters; and it seems to me clear that if Washington were alive today he would be an ardent advocate of our participation in a league which President Wilson has well said is to create "not organized rivalries but an organized common peace." Nor is this



opinion based wholly on the stupendous change in world conditions since 1800, important as that consideration is.

Washington advised his countrymen under the conditions then existing against "permanent" alliances; but the context clearly demonstrates that what he had in mind was "*opposite* foreign alliances, attachments and intrigues," by avoiding which he said we would "avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty."

In the farewell address what Washington warned us against was

permanent, inveterate antipathies against particular nations and passionate attachments for others. . . . Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into participation in the quarrels and wars of the latter without adequate inducement or justification.

In one of his letters to Lafayette, he said:

I would be understood to mean, I cannot avoid reflecting with pleasure on the probable influence that commerce may hereafter have on human manners and society in general. On these occasions I consider how mankind may be connected like one great family in fraternal ties.

Notwithstanding our warm attachment and great obligation to France for help in our Revolution, Washington steadfastly opposed our entry into the war between France and England, and in a letter to Monroe in 1796 he said:

My conduct in public and private life as it relates to the important struggle in which the latter (France) is engaged, has been uniform from the commencement of it and may be summed up in a few words: that I have always wished well to the French Revolution; that I have always given it as my decided opinion, that no nation had a right to intermeddle in the internal affairs of another; that everyone had a right to form and adopt whatever government they liked best to live under themselves; and that if this country could consistently with its engagements maintain a strict neutrality and thereby preserve peace it was bound to do so by motives of policy, interest and every other consideration that ought to actuate a people situated and circumstanced as we are, already deeply in debt and in a convalescent state from the struggle we have been engaged in ourselves.

Undoubtedly Woodrow Wilson, the student and teacher of

history, had these things in mind when, as President, he said in his great address before the Senate on January 22, 1917:

And in holding out the expectation that the people and government of the United States will join the other civilized nations of the world in guaranteeing the permanence of peace upon such terms as I have named, I speak with the greater boldness and confidence because it is clear to every man who can think that there is in this no breach in either our traditions or our policy as a nation, but a fulfillment rather of all that we have professed or striven for.

I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world: that no nation should seek to extend its policy over any other nation or people, but that every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

I am proposing that all nations henceforth avoid entangling alliances which would draw them into competitions of power, catch them in a net of intrigue and selfish rivalry, and disturb their own affairs with influences intruded from without. There is no entangling alliance in a concert of power. They all unite to act in the same sense and with the same purpose all act in the common interest and are free to live their own lives under a common protection.

One objection is sometimes made to the league which indicates a complete misunderstanding of its proposals. It is said that if we and Germany were now in such a league we should have to sit supinely by during the process of arbitration or conciliation while Germany continued to sink our ships and kill our people. Nothing could be farther from the truth. On the exact contrary, Germany would be bound to discontinue the particular acts of which we complain until the report of the board of arbitration or the council of conciliation, or we and all the other signatory powers would unite against her. The very language of the third proposal is:

The signatory powers shall jointly use forthwith, both their economic and military forces against any one of their number that goes to war or commits acts of hostility against another of the signatories before any question arising shall be submitted as in the foregoing.

The discussion as to this league would not be complete without the voice that cries that it would be unconstitutional. We may entangle ourselves by agreement to defend the national independence of Panama or Cuba, we may agree not to use dum-dum bullets or to engage in privateering, we may agree to arbitrate our differences about the Alabama claims or the Newfoundland fisheries, but we must not agree to present future disputes to any tribunal

or council before we plunge ourselves and perhaps the world in war. There are always those to assert that it is unconstitutional to do whatever they do not want done; but the Constitution of the United States contains few limitations of the treaty-making power and none that prohibit such treaties as are involved in establishing a league to enforce peace. It is not proposed to take away the treaty making power, but to act under it. We are a sovereign nation for the assumption of obligations as well as for the assertion of rights. The obligations we assume will be far outweighed by the rights we shall gain. Whatever it may cost will be but a fraction of the tax in manhood and in money that is involved in preparation for war, to say nothing of participation in war.

The allied powers in their reply to President Wilson give to the previous statements of the responsible statesmen of most of the great neutral and belligerent nations, including Germany, this solemn sanction:

In a general way they (the Allies) desire to declare their respect for the lofty sentiments inspiring the American note and their whole-hearted agreement with the proposal to create a league of nations which shall assure peace and justice throughout the world.

They recognize all the benefits which will accrue to the cause of humanity and civilization from the institution of international arrangements designed to prevent violent conflicts between nations and so framed as to provide the sanctions necessary to their enforcement, lest an illusory security should serve merely to facilitate fresh acts of aggression.

Here then is a proposal, which, so far as it goes, as useful as it may prove, whether it succeeds or fails in accomplishing all its advocates expect, is at least a move in the right direction. It will at least diminish the causes and the occasions of war. Therefore we, the people of the United States, desiring peace, willing to take our part in the great family of nations, should be willing to contribute whatever is necessary to further the most practical plan which has thus far been suggested for avoiding another unspeakable catastrophe such as the one now plunging the world in misery; and thus to aid those forces which work for civilization and for the peaceful progress of mankind.

OUR COMPULSORY ARBITRATION TREATIES SHOULD  
BE AMENDED

BY GEORGE W. WICKERSHAM,

New York.

As a preface to the statements I am about to make, I must state that I am strongly opposed to the United States of America becoming a party to a League for the Maintenance of Peace or any other form of permanent international alliance. The counsel of Washington is in my opinion as wise today as it was in 1796, and it still is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we can safely trust to temporary alliances for extraordinary emergencies.

During more than a thousand years, many experiments have been attempted at securing a continued peace in the world by means of compacts, alliances and treaties. All have failed to gain more than temporary breathing spells in the long history of human strife. Conflicting or coincident interests and ambitions are more powerful than written stipulations. The century of peace with Great Britain which we celebrated a short time ago was the result of no peace compact, but the product of common traditions, like moral standards and similar interests. Even the Constitution of the United States, the most perfect example of a "League for the Maintenance of a Just and Durable Peace," was ineffectual, despite identity of tradition and language, to prevent one of the bloodiest wars in history among the states composing the Union, and a durable peace was secured only by removing the institution of slavery whose continued existence created an irrepressible conflict stronger than any written compact.

There is a positive danger to our essential national interests in looking to others to secure for us those conditions which strong nations should themselves obtain and keep. The period of frantic effort to put away all sense of responsibility to prepare our nation to defend its vital interests by force of arms, through which we have passed in the last few years, among other ways found expression in the making of a large number of ill-considered international agreements which, now that our national eyes are reopened to actualities,

we would do well to abrogate before becoming entangled by their provisions in serious international embarrassments.

The *Tageblatt*, of Berlin, a recognized government organ, has commented upon President Wilson's war message of April 2, by saying:

We realize now what a big mistake it was that German policy saw fit to refuse to conclude the Bryan peace treaty such as England and other powers entered into with the United States. If such a contract existed today the United States would be compelled to submit even the gravest differences to a court or arbitration before breaking relations. This would mean gaining at least a year. It is not at all impossible that President Wilson in his embarrassment would have taken that course to get away from the serious position into which his one track policy has led him.<sup>1</sup>

This expression pointedly calls attention to the possible effect upon our national interests of the series of treaties which under the pacifistic emotionalism of William Jennings Bryan, when Secretary of State, the United States was induced to promote and enter into with most of the European countries (with the exception of Germany, Austria and Turkey),<sup>2</sup> with many of the South and Central American countries,<sup>3</sup> and with China. These treaties, ratified by the Senate during the years 1914 and 1915, committed the United States to submit all disputes which may arise between the contracting parties concerning questions of an international character, which cannot be solved by direct diplomatic negotiation and are not embraced in the terms of any treaty of arbitration in force between them, to a commission for investigation and report, with the agreement that the parties will not declare war or begin hostilities pending the investigation and report of such commission. Chile and Uruguay reserved from the operation of the agreement questions affecting their vital interests, and in the case of Uruguay, those affecting its honor. Previous to Mr. Bryan's advent in the state department, the United States had been foremost in the extension by treaty of the principle of deciding by arbitration all disputes with foreign nations justiciable in their nature and not involving matters purely of national policy.

<sup>1</sup>*New York Times*, April 5, 1917.

<sup>2</sup> That is with France, Great Britain, Spain, Russia, Italy, Norway, Sweden, Denmark, Portugal.

<sup>3</sup> Peru, Paraguay, Uruguay, Ecuador, Bolivia, Guatemala, Costa Rica, Honduras, Haiti.

The Senate of the United States always had been careful to preserve its prerogative under the Constitution of ratifying or concurring in the making of every treaty negotiated by the President, and in consenting to the ratification of the convention for the pacific settlement of international disputes formulated at the Hague Conference of 1907, the Senate expressly resolved that:

Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

The resolution further recited that the approval of the convention was given with the understanding that recourse to the permanent court for the settlement of differences could be had only by agreement thereto, through general or special treaties of arbitration theretofore or thereafter concluded between the parties in dispute.

Following the Hague Conference of 1907, arbitration conventions were entered into with Great Britain and France, dated August 3, 1911, each of which provided as follows:

All differences hereafter arising between the high contracting parties which it has not been possible to adjust by diplomacy, relating to international matters, in which the high contracting parties are concerned by virtue of claim of right made by one against the other, by treaty or otherwise, and which are justiciable in their nature, by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted

to arbitration under the provisions of the convention. In order that there might be no possible doubt as to the meaning of these words, the Senate, in ratifying the treaties, did so upon the expressed understanding

to be made part of such ratification that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States or the territorial integrity of the several states or of the United States, or concerning the question of the alleged indebtedness or moneyed obligations of any state of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine, or other purely governmental policy.

Perhaps one of the strongest motives which led to this careful avoidance of committing the United States to arbitrate, or submit

to investigation by a commission, questions purely of national policy, lay in the determination, which certainly during nearly a century and until the year 1913 controlled the action of the American government, under whatever political administration, that the Monroe Doctrine was a definite policy of the United States, which it had itself adopted as essential to its national interests, and which it would not consent to submit to question by any other power. The excessive zeal of Secretary Bryan to make it impossible under any conditions for the United States to enter upon war, led to the abandonment of this salutary principle of national protection in the twenty odd treaties negotiated by him in 1913 and 1914 above referred to. Some students of those treaties and their effect already have maintained that they bind the United States to submit to arbitration even disputes which may involve the Monroe Doctrine under the provisions of those compacts.

Fortunately for us, as the Berliner *Tageblatt* has pointed out, Germany and her allies did not accept Mr. Bryan's invitation to enter into similar agreements with us, nor has Japan or Mexico done so. It is my belief that there are some questions which no nation can afford to submit to the determination of any outside tribunal, and there are some questions which cannot be submitted even to a commission of inquiry for consideration under an agreement that war shall not be made until the commission of inquiry submits its report. The present controversy with Germany affords a striking example of that fact. The final issue upon which we have broken with Germany is with respect to her right to wage a submarine warfare against all neutral vessels, our own included, which penetrate a zone drawn by her about the British Islands and the coast of France. Had she been a party to one of these Bryan treaties, we should have been bound by the treaty to submit to a commission appointed in accordance with the treaty the question whether or not Germany was justified in the adoption of her submarine policy, or if we were justified in considering it a *casus belli*. The commission would have had one year within which to make an investigation, and Germany, continuing her submarine warfare, would have disclaimed our contention that she was making war upon us, averred that she was merely pursuing a method of war against the allied powers, and maintained that we could avoid all injury to our interests by keeping our ships away from the prohibited zone. This being the dis-

puted point required to be submitted to a commission, would have prevented us from forcibly protecting our own interests, except at the cost of violating our treaty obligations. Under such conditions, it is more than probable we should have proceeded against Germany despite the treaty, and perhaps the most objectionable feature of these universal Bryan treaties is that they will inevitably tend to a breach of their own provisions under stress of circumstances.

That it is by no means an idle surmise that even the American government might disregard a treaty obligation which was found to be embarrassing, is demonstrated by the action of our state department within the past few months concerning the treaty negotiated by Secretary Bryan with Nicaragua. The facts of this case ought to be more widely known by the American people. On August 5, 1914, a convention or treaty was entered into between the United States and Nicaragua, known as the Bryan-Chamorro treaty, whereby Nicaragua ceded to the United States certain rights for the construction of a ship canal across the so-called Nicaraguan route, and in order to enable the government of the United States to protect the Panamá Canal and the proprietary rights granted in connection with the canal route across Nicaragua, Nicaragua further leased for ninety-nine years to the United States government certain islands in the Caribbean Sea and granted the right to the United States during that period to maintain a naval base on the Gulf of Fonseca on the Pacific side, with the right to a renewal of such lease and occupation for a further term of ninety-nine years. Costa Rica, Salvador and Honduras protested against this treaty upon the ground that it impaired their existing sovereign rights with respect to the waters and territory embraced within the concessions. The claims of Costa Rica were particularly strong being founded upon an award made by President Cleveland in March, 1888, as arbitrator of a dispute between Costa Rica and Nicaragua. The United States Senate, in ratifying the treaty, adopted a resolution declaring that nothing therein contained was intended to affect any existing right of any of the above named states. But this declaration did not satisfy either of them, and accordingly they appealed to the Central American Court of Justice, a species of Hague Tribunal, which Mr. Root when Secretary of State procured to be established in Central America, some ten years ago, for the purpose of furnishing a means of settling without war questions



and controversies arising among the sister republics of Central America. Costa Rica and Salvador separately presented to that court their respective objections to the treaty and the facts upon which each claimed that Nicaragua had no right without its consent to undertake to grant to the United States the rights sought to be conferred by the treaty. Nicaragua, under the influence of the United States, and it appears to be undisputed, at the suggestion of the state department, ignored the order of the Central American Court of Justice calling upon it to answer the claim of Costa Rica, and refused to submit its right to make the concessions to the court, although the convention creating the court provided for the submission to it, without restriction, of all controversies or questions that may arise between the contracting parties whatever their nature and whatever their origin. The court thereupon proceeded *ex parte* to examine the claims of Costa Rica, and on September 30, 1916, it rendered a solemn judgment reviewing the facts and finding that Nicaragua was without right or power against the objection of Costa Rica to enter into the Bryan-Chamorro treaty with the United States. Nicaragua promptly notified Costa Rica that it would not respect or abide by the decision. On October 30, 1916, Costa Rica officially advised the United States of the decision and the attitude assumed by Nicaragua, but up to the present time the United States has taken no steps to uphold the action of the court which was her own creation.

It is true that the United States was not technically a party to that proceeding, but morally she was, and as the great sponsor of the principle of the universal arbitration of international disputes, it certainly ill became her to encourage Nicaragua to disregard the summons to inquiry by or to flout the decision of the tribunal which the United States had procured to be organized for the very purpose of passing upon such questions. The award of the Central American Court of Justice so made will certainly be followed by a claim against the United States by Costa Rica under the Hague Convention, or otherwise, calling for submission to the Hague Tribunal, or some other court, of the question whether or not by entering into the convention with Nicaragua above referred to, the United States had not invaded the rights of Costa Rica and Salvador and sought to acquire something without the consent of those nations which could only properly be granted with that consent. It is difficult to

see how the United States could refuse to arbitrate that question and she will enter upon the controversy handicapped by the attitude of urging upon a small nation a treaty concession claimed to invade the sovereign rights of another small nation, and preventing the submission of the question to inquiry or arbitration before a court of her own creation. The lesson of this incident should be greater caution against indiscriminate treaty making for sentimental purposes.

But even more serious is the effect upon the principle of international arbitration of the attitude of the United States government towards the great Central American tribunal she called into existence in 1907. Not only did the United States encourage Nicaragua to enter into treaty relations with her in disregard of the rights of her neighbors, but her course has necessarily discredited the tribunal she helped to create for the purpose of settling just such disputes as she created when she entered into the treaty with Nicaragua.

The effect of treaties of the Bryan type upon the national policy of the United States known as the Monroe Doctrine is a matter for serious consideration. Beyond any question, after the war is over, Germany will seek expansion for her commerce in the western hemisphere. Germany's method in the past has been to conduct her commercial expansion wholly under governmental agencies. The expansion of German trade in South America means the establishment by Germany of coaling stations and naval bases and the acquisition of political control over portions of South and Central America. It is well understood that the purchase by the United States of the Island of St. Thomas was for the purpose of preventing it from falling into the hands of Germany. But suppose that after the war Germany should purchase from Holland the territory of Dutch Guiana, and information of the acquisition should come to us only after the purchase was completed. We should, unless we completely depart from our traditional policy, regard that as an invasion of our rights under the Monroe Doctrine and challenge the acquisition. True, we have no Bryan treaty with Germany, nor, it chances, with Holland, and in that particular instance, therefore, we should not be embarrassed by the stipulations of such a compact. But suppose Germany undertook to purchase from Ecuador or Bolivia, with each of whom we have Bryan treaties, would we stop and submit to a commission for investigation and report the

right of either of those countries to cede territory to Germany, and in the meantime allow German officials to establish themselves in the acquired territory? Such a course would be absurd. Abstractly, each of those countries has a right to do what it wills with its own. But as a national policy for the protection of our national interests we have declared that we should view as a deliberately unfriendly act the effort of any European nation to extend its governmental system to this hemisphere. We may maintain that position if we will. No other nation can settle for us the question whether or not we shall do so.

The fact is that during the period of what Rudyard Kipling so well calls our "drugged and doubting years," a widespread theory prevailed that all international strife in the future could be avoided by entering into compacts with foreign nations agreeing to arbitrate or refer to commissions for report all questions at difference. But nations after all are but aggregations of individuals; and the experience of individuals demonstrates the fact that the best drawn contracts imaginable do not always prevent litigation, and the principal value of compacts between nations as in the case of individuals is to afford, first, a definition of their respective interests and claims towards each other; and second, a moral barrier against hasty and unconsidered hostilities. No contracts or treaties, however well devised, have ever proved effective against the strong sentiment of a nation. Wise and prudent statesmanship should prevent a nation from entering into obligations which it can readily be foreseen would prove an embarrassment in time of stress and probably would not, possibly could not, be observed, except in cases where it would be as easy to negotiate a convention applicable to the particular circumstances as to rely upon a general convention whose terms might be broad enough to provide for the particular exigency.

In the general readjustment and reconsideration of affairs incident to our war with Germany, it would be well for the Senate to take up these Bryan peace treaties and negotiate modifications of them to make them accord with the unbroken American policy of a century and with our sound national principles, so that we shall not be confronted with embarrassments of our own making in cases where our national interests require prompt and not dilatory action.

## A YEARNING FOR WORLD PEACE

BY JAMES M. BECK,

New York.

In discussing this question of the possibility of a just and a durable peace, if we apply the generous generalizations, that are always advanced in the discussion of the problems of war and peace to concrete illustrations in either current or past history, I think we will always find that the empirical remedies for war, whether sought by international arbitration or leagues to enforce peace, or mediation, fail in giving any final or completely satisfactory solution.

While statesmen, in their public utterances on the question, are not intentionally insincere, yet collectively every nation is more or less insincere in its protestations with respect to the subject. To confine our comments and criticisms to our own country, this nation has been the foremost exponent of the doctrine of international arbitration, and it has gone to extremes, verbal extremes, to which the responsible statesmen of no other nation have ever gone with respect to the lengths to which they would go in adjusting quarrels without resort to arms. And yet, in the Hague Convention and also in the Algeiras Convention, to participate in which we were invited by the European powers, we were quite willing to go there and indulge in an academic discussion of the possibilities of effecting a just and durable peace, but we were always careful to add the proviso that this should in no respect interfere with the continued efficacy of the Monroe Doctrine. That, of course, meant, not merely that we would not always apply the remedies which we otherwise advocated to any problem that would arise in the western hemisphere, but it also meant that we would not apply the same remedy in any European quarrel. Quite ignoring the solidarity of humanity and the fact that steam and electricity have woven the civilized world into a great organic unit, we have always, until the last few months, persistently disclaimed any legitimate standing with respect to the great questions of European politics.

So that with all our generous and eloquent advocacy of international arbitration, participation in it was always accompanied by

a very obvious and almost fatal limitation. When in England last summer, I was paid the great compliment of being invited to meet Sir Edward Grey. Of course I was very glad to go and I found this great, thoughtful, well-poised statesman quite willing to disclose his thoughts to me on a subject which was very vital and close to his heart, namely, the problem of world peace. A friend of mine in London told me that, immediately after the world war began and England entered into it because of the invasion of Belgium, he was sent for by Sir Edward Grey. When he entered Sir Edward Grey's room, he found him in tears, and Sir Edward Grey then said to him—and this was after England had issued its ultimatum to Germany—"All the dreams of my life have fallen like a pack of cards." No one who has followed Sir Edward Grey's career and who remembers the almost fatal hesitancy with which he held back his country in the matter of intervening in behalf of Russia and France will doubt that Sir Edward Grey was as great a pacifist as a statesman. In discussion with him I spoke of how wonderfully the peace of the world could be promoted if only Great Britain, France and the United States, the three great democracies of civilization, could coöperate, not by any organic alliance with Siamese-twin-like ligature, but by an *entente* by which they would pledge, not as a matter of solemn contractual obligation or with red stamps and red seals, but pledge in equity and good faith, with the moral sanction of three great and noble nations, their joint endeavors to promote peace with justice in civilization. Sir Edward Grey said to me in substance: "Mr. Beck, suppose that Great Britain would enter into a league to enforce peace with the United States," and he added, "Great Britain would gladly enter into any feasible or practicable form of coöperation with any civilized nation that would ensure peace to the world, but if we did, what reason have you to believe that the United States would coöperate and assume its share of the joint obligation and really take an active part"—of course, I am paraphrasing his words—"in enforcing that which the league thought to be just under a given state of circumstances?"

Well, that set me to thinking after I had left him, and I have thought of it very often since. Because after all, while the United States was willing to enter into very sweeping arbitration treaties—that of Mr. Bryan for example, by which a breathing spell of a year was to be given to consider the facts of any given controversy,

and that of Mr. Taft, who was willing to enter into the most sweeping obligations to arbitrate, even though questions of national honor were involved—yet be it remembered that while Mr. Bryan and President Taft were both sincere in their advocacy of their plans, it may be doubted whether, if we reduced the literal words of either plan to some concrete instance, either of them really meant what he said, because it is inconceivable that so noble and patriotic a statesman as President Taft would be willing to submit to arbitration questions which affect the honor of the country because a question that affects its honor is not a justiciable question about which men may reasonably differ. It is either some great question of national interest, which overrides all other considerations, or else it is a question where a wanton wrong is sought to be inflicted upon our country and we are asked to arbitrate whether a given nation shall inflict this wanton and deliberate wrong upon us. President Taft never could have meant, because he is too patriotic, that he would arbitrate such a question; nor did Mr. Bryan mean that if such a question arose, a year should be allowed to pass pending a discussion of the question, which would not even admit of discussion. Thus, we see illustrated the besetting sin of our public men, to say in a spirit of generous enthusiasm more than they really mean.

To my mind, the great difficulty of the whole problem lies in this. Questions are either justiciable or non-justiciable. That is a lawyer's phrase and like most lawyer's phrases, it perhaps obscures rather than illuminates thought. When we speak about a justiciable quarrel, what do we mean? We mean a question about which men may reasonably differ. It may be a question of fact or of international law. Or it may even be a question of some ethical standard not yet of sufficient universal sanction as to be embodied in that great heritage of civilization that we call international law. But in all events, it presupposes two things: first, that the question of fact or law is reasonably debatable; and second, that both parties to the controversy only want that which is just, and therefore, the controversy presents an honest difference of opinion which requires an impartial tribunal to elucidate.

Those are just the questions that generally would not result in war in any event. Because war is such a stupendous horror there is no nation, no matter what its spirit of militarism may be, that de-

sires to enter into the ordeal of battle upon a question which is merely a difference of opinion with respect to something that is debatable and which can be determined by some known standard of law or ethics.

The questions that are real subjects of war, the underlying subjects of war, are the questions which go either to national honor, because some wanton affront is about to be perpetrated upon one of two nations, or it is some great question of national honor and policy which rises so much above the ordinary conventions and standards of international law that no race is willing in such a controversy to bind up its destiny in red tape or define and limit its progress by a red seal.

Take as an illustration, the question before us in this very war. The question, primarily and on the surface, was one of international arbitration, and if ever there was a nation which, because of its advocacy for some generations of international arbitration, should have supported the theory of Russia, France and Great Britain, it was the United States. Why? Because on the surface of that quarrel, the principle of international arbitration was the immediate issue. Austria had served an ultimatum upon Serbia. Serbia had accepted all the terms of that ultimatum except two, really except one, and that was, on its face, a perfectly justiciable question—whether or not the guilt or innocence of certain Serbian officials should be determined by a mixed tribunal in which Austria should be represented, or whether it should be determined solely by the courts of Serbia.

That was a question about which men could reasonably differ. It was a question which, if referred to The Hague—an international tribunal could have been constituted—which would have taken the question out of the courts of either Austria or Serbia, and the guilt or innocence of the Serbian officials, alleged to be responsible for the murder of the Archduke at Serajevo, could have been determined by a dispassionate inquiry of an international tribunal. But that very principle of international arbitration was refused.

If that were all the quarrel, it would be plain that on the refusal of Austria and Germany to arbitrate a perfectly justiciable question, Russia, England and France determined to accept the gage of battle in order to vindicate the principle of arbitration. But after all, considered philosophically, the subject was much deeper than that.

That was the superficial cause. It was not the underlying cause. The underlying cause was that great movement of races, which moves as slowly and resistlessly as that great glacier that comes down from the dome of Mont Blanc and never ends until it touches the valley of Chamonix; and those questions of national destiny cannot be arbitrated because no nation under present conditions of thought is willing to limit by the terms of red tape or a red seal its progress, either as a race or as a nation. I do not mean to intimate that Germany and Austria were justified in refusing arbitration. The Serbian quarrel did not justify the world war.

Therefore, it seems to me that all suggestions with respect to peace may minimize the causes of war, as undoubtedly they do, and may offer the available machinery for the proper and orderly adjudication of international controversies, about which nations would probably not fight in any event, because they are justiciable, yet when great questions of national and racial destiny arise a pacific adjustment of the matter cannot be found in lawyers' agreements to arbitrate. Then unhappily follows Darwin's struggle for existence with its survival of the fittest.

The peace of the world must primarily be founded upon that which is infinitely higher than peace, *viz.*, justice in the world. There never can be a real peace without justice, and unless we first maintain justice in civilization, there will never be any durable peace. Unfortunately, temporarily or permanently, justice must often, both in the lives of individuals and in the lives of nations, be maintained by force.

I say, therefore, that the League to Enforce Peace is not a practicable way because nations diverge so greatly in their ideals and their interests, in their relative power, in their racial destiny, that any league to enforce peace would be as futile as the Holy Alliance was, though perhaps for a different reason. Such a compact would share the fate of all other leagues between sovereign nations. Sooner or later the league would break up into contending groups, and, far from minimizing war, a quarrel in such a league would tend to spread the horrors of war over a greater part of the world than would have been the case if the quarrel had simply been one between two nations.

I have no satisfactory solution to offer, because the question of peace is like the question of justice. You know what George



Eliot said in *Romola*: that justice was "like the kingdom of God: it was not without us as a fact, it was within us as a great yearning." Without admitting the application of her conclusion to the kingdom of God, yet it is true of justice. It is a great ideal, a great goal toward which we laboriously and painfully struggle through the centuries; and so it is with the peace of the world. I believe the nearest approach at the present hour towards maintaining justice in civilization, and therefore, peace—because if the forces that make for justice are more powerful than those that make for injustice, justice will be, therefore, promoted—will be for nations of kindred ideals and of kindred interests to coöperate to maintain this peace.

For that reason, I regard the great events that occurred on April 4 as the most hopeful for the human race that I have seen in my whole lifetime. I had thought that the American nation had been wrong in disclaiming any fair share of the burdens of civilization and of its portion of the collective responsibility of civilization for the maintenance of peace and order and justice, and therefore, when on April 2 the President of the United States, in that extraordinary address to Congress—one of the noblest, I think, that has come from the President of the United States in the history of our country—put aside our traditional past, forswore, in the name of his countrymen, our selfish isolation, and determined that this country should play its part and play it like a man in the great work of civilization; when, following that great event, there came facts that must powerfully appeal to the imagination of men who are not wholly destitute of imagination, when for example a Texan youth, with a flag of our country at the end of his rifle, climbed Vimy Ridge, and, with the moral sanction and authority of our government, unfurled our flag upon one of the most redoubtable strongholds of Germany in northern France, then it seemed to me that this great nation was closing one volume of its history and beginning a new one, an even more glorious one than the past, for every volume of our epic history has been more glorious than the past.

Colonial America was glorious, but it became greater when it became independent America. Independent America was great, but it became greater when under Jefferson it became continental America. Continental America was great, but it became greater

under Lincoln, when it became a consolidated and united America. It is an infinitely greater fact that, following the splendid message of the President and the concurring sanction of the Congress of the United States, in whose hands the final determination of our foreign policies must rest, this nation became cosmopolitan America.

Understand, this new volume of our history will have many dark chapters in it. Any person who thinks that the peace of the world is going to result from this war is the victim, in my judgment, of a monstrous illusion. There can never be peace in the world as long as there is hatred and injustice in the world, and this war has engendered hates of such tremendous intensity, which have gone so to the very roots of human beings, that the man is blind, it seems to me, who thinks, whether Germany and Austria win or whether England, France and Russia win, that there can ever be any good feeling between the two groups of nations in the life of this generation. Neither the vanquished nor the victors are going to be wholly satisfied, much less are they going to feel any reasonable kindness towards each other; and therefore, we are entering the most portentous, the most terrible, the most menacing half-century the world has ever known.

No human being can tell what the outcome will be. All we know now is that we are in it. It does not matter whether the traditions of the past have hitherto forbidden it. We are past that. No one statesman, no one party, not even the instinct of the people, involved us. The logic of world events drove us in, for better or for worse, and we are in for generations and centuries to come.

The only question is: what is our spiritual preparedness? How far are we ready to play a man's part in the world? Our vast wealth and resources will take care of our material preparedness, after the usual muddling which is characteristic of all democratic governments. We have too much genius and resourcefulness not to ultimately make good use of our infinite and predominant material resources. But we must consider the spiritual preparation. It is this which gives me, as one who advocated from the beginning of this world war the participation of the United States in it, the most concern. What is the response of the American people to President Wilson's noble address? Are we capable of the great destiny that is opening before us? Are we capable of playing a man's part in the most prodigious chapter of human history that is about to be written?

I read in a recent copy of the *Philadelphia Record* that in one day in this city of noble and glorious traditions and of one million and a half people there were just fifty-six enlistments, and I see that twelve thousand men attended a baseball game. In our whole country, in ten days following the inspiring message of President Wilson, there were exactly forty-five hundred recruits. If you take the full military strength of the United States, that means when the United States stepped into the most desperate conflict of history, if Germany and Austria, should they win, turn upon us, our territory, indeed, even our national existence, might be menaced. In ten days following one of the most inspiring calls to arms that this or any nation ever had, just one in three thousand military effectives enlisted.

I sometimes wonder whether the American people are not still more interested in baseball and the "movies" than they are in the European War. I think their interest in the world war has always been largely an academic one. I think they like to read about it; they find it very entertaining. I think they take a certain academic interest in thinking about the justice of its causes; but this is true, that to the great mass of the American people, the fact that this is our war, that we are as much interested in its underlying issues as any nation, has not come home to them with any overwhelming or convincing force.

About a year ago I sat at luncheon with a governor and an attorney-general of one of the great states of the Union, and I was very anxious to know what was the opinion in this state with respect to the European War. I asked the governor the question and he replied, "Well, Mr. Beck, do you want me to be entirely frank? When cotton is up, we are entirely satisfied; and when it is down, we are cross with Great Britain and its restrictions of our commerce."

I said, "Do you mean that, governor? Do you mean that in the most stupendous crisis, perhaps, the world has ever known, certainly the greatest in interest to every nation, one which is going to determine the destiny of the human race for centuries—do you mean to tell me that the sole interest in your state is measured by the price of cotton?" He thereupon turned to his attorney-general and said, "What do you think about it?" The attorney-general said, "Governor, you are entirely right. The great mass of our people are interested in the price of cotton and they are not

interested in any other phase of the war except in a purely academic way."

Before we condemn that state too quickly, let us go west of the Alleghanies and we find it the same everywhere. Since the President has committed us to the cause of civilization, since he has sounded the bugle call which should not know retreat, if we look over this vast sleeping giant of a hundred millions of people, we find it as unmoved as though a summer zephyr had passed over the waters of the Delaware—a slight ripple, but the deep undercurrents are as yet touched but little.

And therefore I wonder what will arouse us out of our dream of isolation if a great, supreme convulsion like this European War cannot? What will rouse us and how are we going to be aroused? How are we going to teach the American people the great significance of this struggle? How are we going to give them a cosmopolitan outlook? How are we going to make them feel that they are in the very heart of the world and that the Atlantic and the Pacific are nothing more than open highways over which hostile fleets could freely pass? In other words, how are we going to give this people that vision, without which it was said upon the authority of the wise man, this or any people will perish?

## MORAL INFLUENCES IN A DURABLE PEACE

BY DON C. SEITZ,

Manager, *New York World*, New York.

To discuss the problems of a durable peace is to discuss a disease for which there are plenty of doctors but no cures. There have been many prescriptions for the perfection of peace, but in the end all seem to adopt that of Tacitus: "They make a solitude which they call peace." Somehow one comes, however reluctantly, to the conclusion that the vast chemistry of nature requires the slaughter of mankind at furious intervals, just as it seems to need the devastations of fire and flood and the cruel raids of epidemics. Guard ourselves as we may against flames from mortal causes, the lightnings come from the heavens to sere the luckless earth. We may build dams and levees with all our strength and skill, but the raindrops from heaven gather and overwhelm the help-

less land. We make sanitation a science, but the germ and microbe take new turns to rid the world of our persons. The human sacrifice seems as essential as ever it was in the temples of Baal, or on the altars of the Aztecs. What reform in railway transportation have we ever been able to effect without the slaughter of passengers or employees? When were ships ever amply equipped with boats or life preservers until some hideous disaster roused us to enforce precautions? It takes the falling of an elevator with its crushed and mangled victims to produce the use of safeguards. Many must die in factory or tenement fires before the landlord can be made to put welfare ahead of profit. We preach much and practice little until forced by the chilling results of calamity, however much we may have been advised of its coming.

So too with war. Despite the teachings of Christ and the sufferings of the ages, it is our ever present peril. For two trembling years this nation remained out of the horror; our Cassandras kept calling: Prepare! Prepare! At last we do prepare. With the first preparations comes war! Surely as the seed produces grain, so do arms produce alarms, and alarms, war. Whatever reasons may be advanced by the students of world politics; whatever economic fictions may be urged, one thing stands out: the German Emperor having forged his tools for twenty-five years, and having reached middle life, determined beyond peradventure to go down into history with Caesar, Alexander, Frederick the Great and Napoleon, the chief butchers of mankind. Did you ever read the correspondence of the kings just before the outbreak? They were all cousins. They signed themselves "Willy," "Georgy" and "Nicky." To "Georgy's" last plea that he hold his hand, "Willy" answered: "It is too late. My armies are on the march!" He always intended it should be too late. His armies were always marching in his imperial mind. But where all the time were the people who suffered "Willy" to enmesh them in a rule that permitted the armies to march on unprovoking people? Whence came the right to chain them into battalions and march them on to martial murder?

It is history that the common people rarely make war. War begins either through oppressions or the obsessions of the great. The assailed, perforce, must fight. To save themselves from such assaults nations prepare by fitting themselves to commit reprisals or to resist. We have been reluctant here to feel that such a step would

become necessary and even now make a slow business of it. That preparedness may be needful because of the aggressiveness of others I cannot deny. To the argument that it is an insurance for peace I do emphatically dissent. Montaigne once observed that the walls of his castle on the mountain from which he took his title were in bad repair. Indeed, there was more breach visible than bastion. His neighbors were always reproaching him for permitting such dilapidatedness to prevail and pointing out the peril he underwent. The philosopher answered by saying he had noted that the strongest defenses had to stand the most assaults. During twenty years no hostile force had ever tackled the mountain, but his well-walled neighbors had to withstand many a fierce foray!

It is no time now to argue our own position. We have taken unexceptionable ground, even though departing wide from our ancient principles. World power means world responsibility, if we chose to make it so. The giant declines to remain longer supine. We do not greet the change eagerly. There is doubt in many an American mind as to the wisdom of so wide a purpose. Yet there could be no other justification save to aid the cause of universal democracy. If the task brings us to a world-state where rulers can be made the servants of the people, the die will have been well cast. But there are perils beyond. We, too, may forge tools that will cut their owners. We may take on a lust for conquest that will bring evil in its train. We will surely fill the minds of men with the excitement and confusion of war and when it is over these minds will not adjust themselves to the humdrum of an industrious and quiet life, but will remain idle and distracted to the end of their days. This is one of the greatest evils growing out of such a conflict. The dead and wounded count much, but the mentally disabled count far more. You need not worry over the European millions who are expected to leap back into industry when released from the ranks of war. They will not leap. They will be stunned by their share in the great events. Their minds will not find room for common thoughts. They will ever be in trench or battle to the last of their days, menacing no industries but those of their own lands.

What there is most to deplore is the breaking down of intellectual and moral influence, which I take it we are here trying to revive. The scholars and philosophers of Germany are the leaders in the upholding of strife. So it is across the world. We, here,

flout pacifists and call for deeds not words. The clergy are not preaching the doctrine of peace and good-will, but fiercely calling for vengeance, and gentle woman rallies all her strength, not in shuddering remonstrance against the ruth of war, but in zealous urgings that husbands, sons and brothers shall take a hand. With all due respect to the good, they appear more belligerent than the fighting men, more insistent upon revenge. I am not speaking as a critic. I am trying to describe one of the great anomalies. As to the consummation for which all mankind should wish, a durable peace, based upon good-will and justice, I frankly believe will never come. If it does it will be because some nation is brave enough to lay down its arms, dismantle its ships of war and say to all the world: "We have put aside the tools of conflict. We will be brothers to mankind and will abide the event, feeling that if our sacrifice fails the red will be on other hands than ours."

## EQUIPMENT FOR THE POST BELLUM PERIOD

BY CHARLES H. SHERRILL,  
New York City.

It seems to me that the most important equipment that our country can have for the part which it must play at the end of this war, is its state of mind. We in this country have had a proper and a high state of mind not once but several times. We rose in our might to gain our freedom. We cleaned our escutcheon of the black stain of slavery. We freed Cuba, and then, having freed her from a foreign enemy, we freed her from ourselves, not once, but twice.

May I venture to suggest two vitally important movements through which we can help our country to improve its state of mind?

The first and less important of these is that of so altering our mental attitude toward other nations that in our dealings with them, commercial, personal or diplomatic, we shall constantly grant full consideration to their point of view. I am personally under great obligations to our Government for permitting me to represent it for two years in the great Latin-American republic of Argentina, because my service there taught me our need for studying and

thereafter considering the point of view of other peoples. Foreigners are apt to approach almost any subject from a different angle than ourselves, and unless we take that fact into account we shall fall short of coming to a full understanding with them in personal relations, in business, or in governmental questions of an international character. We must learn to take thought of how the other man is thinking—it is courteous, it is good business, it is of vital importance to anyone pretending to statesmanship. Let us take as an example our relations with the other republics of the western hemisphere. We, as a nation, have a right to be proud of the historical fact that our intentions toward those peoples have always been of the best and purest. But have we always considered their point of view upon international questions? Wouldn't our relations with them be greatly improved if, during our history, we had occasionally stopped to consider what *they* thought of the settlement of some question instead of going straight ahead to settle it according to our own views of right and wrong? I think we are all agreed upon this point, and especially those who, through living among South Americans, have come to know and, therefore, to like them as cordially as I do.

You will find before this war has come to its bitter issue that the South Americans will all be found on the right side of the argument. They are a great people. They are not excitable or flighty as many of us believe them to be. I shall never forget something that happened one night at the opera house in Buenos Aires. They have an opera house there which, in most particulars, is superior to the Metropolitan in New York. One night, for no particular reason, an anarchist threw a bomb in that audience. What happened? What would happen in New York City? I fear there would be panic and trouble. What happened down there was magnificent. The audience behaved very quietly, although a number of people were injured. The manager came out and stated very calmly that owing to an unfortunate accident it was impossible to continue the opera, and he asked the audience to withdraw. The band played the national anthem and they filed quietly out. No one who saw that magnificent proof of national poise and self-control can feel other than I do about those people. I believe that the Latins of South America, by coming



to the free soil of this hemisphere, have become steadied and Americanized, just as we Anglo-Saxons from northern Europe have been speeded up and Americanized, in the northern part of this hemisphere. In type we are approaching each other more and more.

My second suggestion touching our national equipment for the post bellum period is vastly more important than my first. It is that we use this crisis in the world's affairs to cast ourselves back into the state of mind of our ancestors when they wrote into our Declaration of Independence that splendid acknowledgment of the Divine Source from Whom flows all our blessings of life, liberty, and the pursuit of happiness. Let me recall a picture to your minds. We are in Cambridge, Massachusetts. We are assembled on the Green. It is the night before the fateful battle of Bunker Hill, that momentous test of whether raw levies of farmers can fight off trained troops and therefore win the freedom they so passionately desire. What preparation are those sturdy ancestors of ours making for the life and death struggle into which they are about to enter? What do we see just as the day is breaking? There is a hush, and then all those earnest armed Americans kneel reverently down and invoke the Divine Blessing upon their patriotic enterprise. Then rising lightly to their feet, they march off to meet the enemy. They go equipped with that splendid spirit which armed Cromwell's Roundheads, those earnest warriors who always united in prayer before going into battle. We have come a long ways since the War of the Revolution, and part of it has been downhill, for we are not so earnest or so frank in our religion as were the heroes of those days. Recently I was reminded that the word religion comes from the Latin "religio"—a tying-back. What we as a nation need most, both in the present crisis and to meet world conditions thereafter, is a tying-back to the Great Author of our being,—a continuing and not a mere Sunday contact with the great Power House above. Made powerful with *that* power we shall pass from being mere descendants of those who won and kept our liberty, to being worthy ancestors of a far greater American race, facing confidently forward and upward to the future which lies before.

DEMOCRATIC ORGANIZATION OF THE COMING PEACE  
CONFERENCE

BY EDWARD A. FILENE.

A business man need not apologize for concerning himself, in these unusual times, with the problems of international politics. They are today giving close consideration to international affairs not always so much from intellectual choice as from practical necessity. For the fact is that in the years succeeding this war business success, social advance and political progress will depend more on the kind of settlement that is made of this war than on the individual plans and initiative men and women bring to any particular piece of work.

If this war ends in the usual kind of settlement, no amount of private initiative can free business from the handicap of rival armaments and their crushing tax burdens, and the trade wars that are as certain to follow a patched up peace as night is to follow day. Therefore upon the ground of self-interest, if no higher reason existed, diplomacy becomes as legitimate a concern of business administration as are the costs of production.

The stability and free development of the world's economic life demand a new kind of settlement of the war. There must be set up such joint guarantees of justice and peace that the nations will not be driven into an unprecedented rivalry in armaments which coupled with the enormous cost of reconstruction would give rise to taxation so heavy that, if indeed revolutions did not follow, trade wars would be inspired so destructive as to complicate the business life of the whole world.

One of the things that this war has demonstrated is that foreign affairs are personal affairs for all of us, although in our easy-going moments we have acted as though foreign affairs do not concern the average man and are the exclusive property of diplomats operating behind the closed doors of secret council chambers. This war has proved that the blunder of an hour in a foreign office may undermine the results of a century of constructive domestic effort. All this means that when the time comes to write the treaty that will end this war there must be recognized with new emphasis the vital connection between diplomacy and the domestic development of nations.

In a recent number of the *Echo de Paris*, Fernand Engerand, Deputy for Calvados, said: "The peace which will conclude this unparalleled war will be the greatest event in history, and the treaty which will ratify it must be a masterpiece." Speaking of the weakened condition in which Europe will come to the end of the war and of the desirability of assuring a long peace in which to recuperate he goes on to say: "A long, a very long peace is therefore necessary and this must be the main object of the treaty. The problem to be solved is, in fact, nothing less than to rebuild Europe, for to have a good peace it is necessary to have a good Europe." And now that we are in the war, we may say "to have a good peace it is necessary to have a good world."

The conditions and problems which we will face after the war will depend in no small measure upon the type of peace that is made. If at the peace conference, a peace is made that will in reality be nothing but a latent war, then the nations now at war will be compelled to add, to the enormous fixed charges of war debts and the expenses of reconstruction, the continuing burden of another rivalry in armaments unprecedented in cost. In the same degree that this armed conflict has been unprecedented so will the armed peace that follows it be unprecedented in the extent of defensive preparation if the traditional peace is made. This trio of burdens—war debts, the expenses of reconstruction and the cost of another rivalry in armaments—will constitute a compelling pressure upon each European nation to undersell every other nation in the neutral markets, and will inspire one of the longest and most destructive trade wars of history. So we may reverse the statement of the French deputy "that to have a good peace it is necessary to have a good world" and say with equal truth "to have a good world it is necessary to have a good peace"—a sane settlement of the war.

The two outstanding weaknesses of the peace conferences of the past have been:

1. They have been dominated by diplomats who have represented a more or less fictitious entity—the state—rather than the masses of every-day people who in workshop, store, office, field and home constitute the nation. National prestige has overshadowed the common welfare of men.
2. They have seldom brought creative statesmanship to bear upon the problem of future security. Each peace of the past has carried with it the germs of future wars.

The elimination of these two elements of weakness from the peace conference at the end of this war is fundamental to every social, industrial, political and ethical program of the future. And I am convinced that the elimination of these two weaknesses, while depending much upon a changed mind, finally will depend upon the way the peace conference is organized.

The membership of the coming peace conference must represent a new and more wholesome diplomacy, marked by the following characteristics:

1. It must be more modern. It must realize that its primary function is not to minister to an exaggerated sense of national prestige that smacks too much of the artificial honor of the old duelling days, but it is rather a job of social engineering—so adjusting the relations of peoples that the energies of the world will flow into constructive rather than destructive channels. The men who frame the treaty at the end of this war should in reality be a group of men drawn from the basic work divisions of men in all nations whose experience would make them wise counsellors in the working out of a really scientific management of the world of nations.

2. It must be more public. The traditional veil of secrecy that diplomacy has thrown over international affairs must be lifted to the greatest practical extent. The time ought to be past when five or six men could rush half a world into war over night without consulting in some way the men and women who must bear the burdens of war.

3. It must be more responsible. It is even more important that diplomacy be made responsible than that it be made public. It is, of course, neither practical nor desirable always to spread the record of the foreign office on the front page of the morning paper. But there must be devised means by which the masses can have an increasing control over the game in which they themselves represent the stakes. Heretofore even the democracies have given a blank check to diplomacy, signed with their lives and their resources, and diplomacy has been privileged to fill in the amount. But hereafter democracy must audit the accounts of diplomacy.

This plea for a greater democratization of diplomacy is frequently met with the statement that the man on the street is not interested in foreign affairs. That may have been so. But he is interested in his life, his family and his property, and this war has taught him how largely these are dependent upon diplomacy. The value and security of his job after the war depends in a very real sense on the way the war is settled. In our increasingly interdependent world he must become interested in this matter. He has never had a chance to be vitally interested, and as is true in every democratic experiment he will never learn but by the carrying of

responsibility. But the average man probably has a deeper interest in international matters than we guess. This war has forced men whose thinking has never before gone beyond the bounds of a parish to think in world terms.

I am convinced that the end of this war will offer the opportunity for a decided step forward in the democratizing of diplomacy and in the reduction of the hazards of war for the future.

All belligerents unite in saying that "security for the future" must be the guiding consideration of the peace treaty. It is clear, that a constructive peace that will safeguard the future is not probable unless the principles of the new diplomacy that I have outlined are in control of the peace conference.

A more democratic organization of the peace conference, making it more representative of the fundamental interests of society, is the one move that, in my judgment, most nearly insures the securing of the kind of peace the future interests of society demand.

It will not be possible overnight to reconstruct diplomatic procedure; but the coming peace conference will be different from all that have preceded it and in that difference lies the hope of better things. The conference will come at the end of a war that, as I have pointed out, will have dramatized as never before three things:

1. The necessity for guarantees against future wars.
2. The fact that the world has become so interdependent that all nations are involved in the wars of any nations, even though not as combatants.
3. The fact that modern war throws burdens upon all classes and all men whether soldiers or not; that the farmer, the merchant and the mechanic must sacrifice at home as the soldier sacrifices on the firing line.

With these facts so clearly proved, it seems to me that our government will have the opportunity, in the peace conference, of striking a new note in diplomacy. It will be pertinent to suggest that since the problem of security of the future underlies the fortunes of all classes and is so intimately involved with the future industrial and social development of the world, there should be included in the membership of the conference responsible representatives of the fundamental interests of society, such as business, labor, agriculture, etc. Such a suggestion coming from the United States would doubtless bear great weight. The United States might well take the leadership in the making of diplomacy more

representative and responsible not only by suggesting such a policy to other nations, but by setting as an example the men it selects to represent it in the peace conference.

*If there should prove to be insurmountable obstacles to so complete a break with diplomatic traditions as the appointment of direct representatives of business, labor and agriculture would be, then might it not be feasible to attach to each diplomatic representative a counselor from each of the fundamental work divisions of society?*

It is the duty of every business man, of every professional man, of every thinker and worker, as the most important part of his planning for the future, to study the forces that will shape the end-of-the-war-treaties, and to ally himself with his fellow citizens in an attempt to shape the treaties for the good of our own nation and the world. Because, as I said in the beginning—*In the years succeeding this war business success, social advance and political progress will depend more on the kind of settlement that is made of this war than on the individual plans and initiative men and women bring to any particular piece of work.*

## BOOK DEPARTMENT

### THE BUSINESS MAN'S LIBRARY

#### ACCOUNTING, AUDITING AND COST KEEPING

BENNETT, R. J. *Corporation Accounting*. Pp. xxi, 563. Price, \$3.00. New York: Ronald Press Company, 1917.

This is much more than a book on corporation accounting; it is more properly a treatise on organization from the legal, industrial, financial and accounting standpoints. It appears in seven parts: Part I describes the process of organizing a corporation, discusses the different classes of capital stock and shows the purpose of the various corporate meetings; Part II takes up the special books and records required by corporations, and analyzes the distinctive corporate accounts relating to capital stock, bonds, surplus, dividends and reserves; Part III is devoted to special descriptions and accounting entries relating to stocks, dividends and processes of incorporation; Part IV treats bond issues, including a description of the different classes of bonds, their security, methods of issue, amortization of discounts and premiums, sinking funds and redemption; Part V explains and illustrates the balance sheet, income statement, and various other special reports and statements; Part VI is devoted to consolidation, including merger, lease and holding company; Part VII takes up receiverships, reorganizations and dissolutions. Much more space is devoted to general descriptions than to pure accounting discussion.

It is difficult to make an appraisal of the book. It will probably serve as an excellent handbook for practical business men who wish a broad view of corporate organization, finance and accounting. The discussion is unusually clear, simple and informing. Except for incidental suggestions, the book is likely to have little value to the practicing accountant, for it is too general in treatment, or to one interested in the more scientific aspect of accounting because it is not sufficiently analytical. It may serve very well, however, as a text for college classes on account of its forms and clear descriptions.

There are several more or less important positive criticisms that may be made: (1) There is considerable repetition. Most of this could have been avoided by better organization; the arrangement of the subject matter is not strikingly logical. (2) There are several explanations or views which do not agree with the more precise modern concepts; for example, capital stock as a liability of a corporation (p. 18), treasury stock as an asset (p. 22), premiums on stock or bonds as a profit (pp. 88, 95), bond discount as a nominal deferred asset (p. 96); but these are matters of interpretation, and they are not particularly misleading. (3) There would be considerable gain, both from the practical and scientific standpoints, if more emphasis were placed upon valuation and upon the statistical significance of accounts. Altogether, however, the book is a very useful contribution to the American literature on accounting.

Princeton University.

JOHN BAUER.

GILMAN, STEPHEN. *Principles of Accounting*. Pp. xii, 415. Price, \$3.00. Chicago: La Salle University, 1916.

The author has endeavored to present to the student a clear statement of the principles of accounting practice without attempting to advance any new theories.

Some question may be raised by the author's treatment of good will and organization expenses in practice, as both of these items are usually regarded as proper capital items.

The balancing device to prove that "assets=liabilities" is good, but most readers would have a clearer conception of the proprietorship interest had the equation "assets-liabilities=proprietorship" been used.

Effective use is made of charts, examples and illustrations. The book should prove of considerable interest to those with experience in bookkeeping.

A. T. C.

THOMPSON, C. BERTRAND. *How to Find Factory Costs*. Pp. 191. Price, \$3.00. Chicago: A. W. Shaw Company, 1916.

An admirable treatise by one who has had wide experience in the development of cost and efficiency systems and as a teacher of factory management. The author has endeavored to dispel the illusion of the average manufacturer that the installation of a cost system means the retardation of efficient production because of the accompanying expense and red tape. In doing so he points out how simple cost systems may be worked up for particular types of businesses, which, in many instances, will reveal leakages amounting to great sums. Indeed, only with a good cost system will the manufacturer be enabled to submit accurate bids on prospective orders.

Many forms and charts are used to good advantage. Although the reader is strongly impressed with the idea that they are merely suggestive, he feels that they may be adapted to the specific conditions present in individual plants. The volume has, without doubt, set forth the accounting principles to be followed in securing accurate costs in such a manner that it should make a distinct appeal to manufacturers who are not specialized students of accounting.

W. D. G.

#### BANKING, INVESTMENTS AND CORPORATION FINANCE

KEMMERER, EDWIN W. *Modern Currency Reforms*. Pp. xxi, 564. Price, \$2.40. New York: The Macmillan Company, 1916.

Professor Kemmerer needs no introduction to students of money and credit. His contributions in this field have been numerous and of a uniformly high order. He and Professor Irving Fisher are generally recognized as the two foremost exponents in the United States of the modern form of the "quantity theory" of money value.

The book under review deals with the currency reforms in India, Porto Rico, Philippine Islands, Straits Settlements and Mexico. In all these countries the local currencies, on a silver or on a fiduciary basis, were brought practically to a



gold basis. In some cases an out-and-out gold standard was established; in the others a gold-exchange standard was the end sought. While Professor Kemmerer gives a lucid historical account of the reforms in each of the countries studied, his book represents much more than mere historical description. It constitutes a searching inquiry into monetary principles in the light of the recorded historical experience. The determination of money value in practice, the effect of deliberate changes in this value on wages, on the relations between debtors and creditors, on foreign trade, etc., are most interestingly set forth, and conclusions are abundantly buttressed by statistical diagrams and tables. In the realm of principle, Professor Kemmerer's studies establish beyond dispute the inadequacy of the crude metallist or bullionist theory of money value. While bullion value naturally supplies a lower limit to money value, and while it undoubtedly affects the acceptability of and hence the demand for money, Professor Kemmerer's researches show clearly that money itself is a distinct entity whose value is independently determined.

Professor Kemmerer was admirably equipped for pursuing the studies so happily brought to fruition in the book under review. His experience in the field of scholarship was broadened by unique practical opportunities in the domain of administration. While the subject matter of his volume is not such that lends itself to literary embellishment, Professor Kemmerer writes with ease and clearness. To each of the countries studied a separate "Part" is allotted, yet unity of treatment is achieved through emphasis in each instance on the underlying monetary principles. The book is a noteworthy contribution to monetary literature.

EUGENE E. AGGER.

*Columbia University.*

LYON, HASTINGS. *Corporation Finance*. Pp. vii, 316. Price, \$2.00. Boston: Houghton, Mifflin and Company, 1916.

Some few years ago Mr. Lyon published a book entitled *Capitalization*. The present volume, *Corporation Finance*, is also labeled *Part II* with a subtitle, *Distributing Securities, Reorganization*. From these facts the reviewer gathers that the two volumes, *Capitalization* and *Corporation Finance—Part II*, are to be regarded as a complete treatment of the subject of corporation finance.

The author devotes four chapters of the volume under consideration to what may be termed the raising of funds and the mechanism therefor, and includes an interesting discussion of syndicates and a brief chapter dealing with listing on the Exchange. The fifth chapter, about twenty pages in length, carries the title Corporate Income, and is followed by another and even briefer chapter entitled Special Nature of the Income of a Holding Corporation. Mr. Lyon then devotes some ten pages to a discussion of the origin of the complexity of liens, and his final and most lengthy chapter is given over to the subject of reorganization.

The principal criticism which can be made of this new work of Mr. Lyon is that it deals too much with what may be termed the technical mechanism of corporation finance and that the author is altogether too little concerned with

the study of financial policies and the reasons for their adoption. For example, although Mr. Lyon has written several hundred pages in his two volumes, he has given over an exceedingly small percentage of space to the matter of corporate income and its management. Nowhere in either of the two volumes is there to be found any extended consideration of such subjects as dividends and dividend policies, surplus and its management and distribution. Another important topic which seems to have been almost utterly neglected is that of depreciation. Many minor subjects, such as the matter of accumulated dividends, privileged subscriptions, etc., also appear to have been given comparatively little attention.

The volume under review contains an interesting and illuminating treatment of many phases of corporate finance some of which are not to be found in any other volume dealing with this subject which has as yet appeared. The chapters on Reorganization and on Syndicates are especially comprehensive and valuable.

The reviewer notes with regret the statement of Mr. Lyon in his preface to the effect that he has changed his mind about the desirability of using existing securities and corporations to illustrate various principles. Always a great believer in the source method wherever practicable in a book designed for text purposes, the reviewer is rather inclined to believe that Mr. Lyon has made a mistake in not continuing in this second volume the method which he pursued in *Capitalization*. Again, in justice to Mr. Lyon, it ought to be said that he is perhaps in the right in altering his method and the reviewer in the wrong in criticising such alteration. Certainly Mr. Lyon has had ample opportunity in using *Capitalization* as a textbook to determine the value of the illustrative material which it contained. His experience, therefore, is probably the contrary of that of the reviewer and his view in consequence entitled to equal if not greater weight.

W. H. S. STEVENS.

*Federal Trade Commission, Washington, D. C.*

PAINE, WILLIS S. *Paine's Analysis of the Federal Reserve Act and Cognate Statutes*. Pp. xiv, 416. Price, \$5.00. New York: The Bankers' Publishing Company, 1917.

A collection of current information, accurately and skilfully devised, is of the same importance as original research in its relation to the commercial and educational fields. This, apparently, is the theory underlying the publication of the foregoing volume.

The practical demonstration of this theory, as measured by the book itself, suffers from a lack of cohesion. Current news is more easily comprehended and constitutes a more valuable reference source when it is classified according to subject matter. If a chronological development of events, rulings, and regulations is desirable, this development can be executed quite as readily under topical heads. It is an unfortunate incongruity that an analysis of the Federal Reserve Act should have the semblance of a hasty compendium of newspaper clippings and extracts from the *Federal Reserve Bulletins*.

The worth of this work lies primarily in its compilation of statutes. The outline digest of the Federal Reserve Act, the abridgement of State statutes relating to the membership of State banks, and the bill of lading and farm loan acts are commendable inclusions.

For the student there exist several other books that cover the Federal Reserve system in a more logical and more thorough way. The business man will find the Federal Reserve Bulletin an investment of greater profit.

F. P.

STETSON, FRANCIS L.; BYRNE, JAMES; CRAVATH, PAUL D.; WICKERSHAM, GEORGE W.; MONTAGUE, GILBERT H.; COLEMAN, GEORGE S.; GUTHRIE, WILLIAM D. *Some Legal Phases of Corporate Financing, Reorganization and Regulation*. Pp. ix, 389. Price, \$2.75. New York: The Macmillan Company, 1917.

A happy contrast to the mechanical compilations of nameless hackwriters, under whose weight the shelves of our law libraries groan wearily, is this volume of addresses delivered in 1916 by recognized leaders of the legal profession at the instance of the Association of the Bar of the City of New York, to audiences drawn from practicing lawyers.

Mr. Stetson contributes a lengthy paper concerning the preparation of corporate bonds, mortgages, collateral trusts and debenture indentures. He gives a very helpful explanation of the reasons for the inclusion of many of the clauses which are usually found in these documents.

Mr. Byrne supplies an exceptionally valuable treatise on the foreclosure of railroad mortgages in the United States courts. If the volume under review contained nothing but this treatise, it would still be an important addition to legal literature.

Mr. Cravath treats of the reorganization of corporations; bondholders' and stockholders' protective committees; reorganization committees; and the voluntary recapitalization of corporations. His long experience in these matters enables him to furnish numerous apposite illustrations of the rules which he lays down.

Mr. Wickersham deals with the Sherman anti-trust law. Very few persons are as well fitted to handle this subject as Mr. Wickersham, who, as Attorney General of the United States, had much to do with some of the principal proceedings brought under this statute.

Mr. Montague writes about the Federal Trade Commission and the Clayton Act.

Mr. Coleman and Mr. Guthrie discuss the public service commissions.

The authors are to be commended for their public spirit in placing some of the results of their long contact with important corporate affairs at the disposal of the public. It is to be hoped that the publication of this volume will spur on other lawyers versed in legal problems involving corporations to further the work.

JOHN J. SULLIVAN.

*University of Pennsylvania.*

## FOREIGN TRADE AND COMMERCIAL GEOGRAPHY

## COURSE IN FOREIGN TRADE. (12 units.)

- AUSTIN, O. P. *Economics of World Trade*. Pp. 141.  
 VOSE, EDWARD N. *The World's Markets*. Pp. 190.  
 KENNEDY, P. B., and PORTER, E. C. *Export Policies*. Pp. 159.  
 FOWLER, JOHN F.; RICHARDS, C. A.; and TALBOT, H. A. *Export Houses*.  
 Pp. 112.  
 WYMAN, WALTER F. *Direct Exporting*. Pp. 136.  
 MAHONY, PAUL R. *The Export Salesman*. Pp. 108.  
 JOHNSON, EMORY and HUEBNER, GROVER G. *Shipping*. Pp. 156.  
 DE LIMA, ERNEST A., and SANTILHANO, J. *Financing*. Pp. 173.  
 BÄCHER, EDWARD LEONARD. *Export Technique*. Pp. 129.  
 EDER, PHANOR JAMES. *Foreign and Home Law*. Pp. 160.  
 STERN, CARL W. *Importing*. Pp. 134.  
 SNOW, CHAUNCEY DEPEW. *Factors in Trade-Building*. Pp. 143.  
 New York: Business Training Corporation, 1916.

The importance of the United States in world commerce has been brought forcibly to the attention of the layman since the outbreak of the present war and the growing need for men who understand foreign trading has stimulated the development of a literature on the subject.

This work, organized and arranged by Dr. Edward Ewing Pratt, Chief of the Bureau of Foreign and Domestic Commerce, while planned for use as a correspondence course "built around the one idea of preparing men for successful work in export trade," has value for any one making a study of the subject since it contains information heretofore unpublished. It is a joint work and each of the collaborators, the majority of whom are business men, is intimately acquainted with his subject.

There are four main divisions: (1) Determining markets and policies, (2) Selling methods, (3) Handling export orders, and (4) Factors influencing export trade. The topics are arranged in the order in which the problems would arise were a foreign trade campaign being designed, although the factors which influence foreign trade must be known to the exporter at the outset and parts of division 4 might very well have been presented at the beginning.

In considering markets and policies an analysis is first made of the organization of world trade. Division of labor, transportation and communication, and finances are explained as the essentials of trade and along with them less important factors such as exporting of surplus production and of capital, control of transportation, colonization and immigration, trade routes and trade centers, seasonal movement of commodities, and the effect of governmental subsidies and the tariff. The next step shows the recent developments in foreign trade and particularly the changes in the United States. The industrial development of the other continents is described with reference to important trade routes and commercial centers. The problem of selecting the method of exporting best suited

to a particular industry is discussed, illustrated by a detailed study of the methods used in exporting several of our more important groups of products. Emphasis is placed on selecting a method only after careful analysis of all the factors involved in a particular business and the markets it desires to enter.

By far the most valuable parts of the work are the six volumes describing actual selling methods and the handling of export orders. Here the everyday experience of the authors has enabled them to convey to the reader an accurate picture of the methods and functions of the export merchant, the commission house and the forwarder. Direct exporting, by means of an allied company, a selling company, a separate export department within the company, or a "built-in" export department is explained, the organization of each is worked out, and their particular adaptability indicated. The volume on the export salesman is of interest because it not only shows the place he fills and what he can and cannot do, but presents the salesman's viewpoint as well as that of the house sending him. In the volume on shipping the reader is given an insight into the numerous questions which arise in connection with shipping by rail and steamer, most important of which are routes and services available, ocean freight rates and how they are influenced, ports and their facilities, and a brief explanation of marine insurance. The important and complex question of financing is treated at length by describing American foreign banking and the overseas methods of Great Britain, Germany and other European countries. This division is completed by a volume on export technique which takes particular shipments exported either directly or through an export house, and explains the actual handling through each step from the shipper to the consignee, illustrated with copies of all documents and forms used.

The final division of three volumes is devoted to factors which influence foreign trade in general. Commercial law both here and in other countries indicates the legal obligations and pitfalls of the trader. The relation of import to export trade and an explanation of import technique is next given and the final volume is a complete and detailed analysis of governmental and commercial agencies and bureaus which foster and promote foreign trading.

This brief analysis indicates the scope of the work and the mass of varied material included. It was admittedly prepared in a short time, and valuable information had to be excluded in order to limit the size of the volumes to fit the course plan, but none of the essentials have been omitted. In fact it is to be commended since the reader, whether a beginner or a seasoned business man, may get a clear perspective of the entire field of foreign trade.

The method of development is logical, and a clear, concise presentation holds the reader's interest. The use of descriptive illustrations and actual incidents from the writers' experience makes for effective presentation. The references to further reading at close of each volume are on the whole good and direct the reader to original and secondary sources which the business man can find useful.

W. E. WARRINGTON.

*University of Pennsylvania.*

## LABOR LEGISLATION

FRANKFURTER, FELIX and GOLDMARK, JOSEPHINE. *Oregon Minimum Wage Cases: Brief for Defendants in Error upon Re-argument*. Pp. 783. New York: National Consumers' League, 1917.

The brief for the State in the Oregon Minimum Wage Case recently before the Federal Supreme Court has been reprinted by the National Consumers' League for free distribution. The State upheld the constitutionality of the Oregon Act, and from this decision an appeal has been taken by the employer, Frank C. Stettler, and his employe, Elmira Simpson, on two main grounds, viz.: that the act denies equal protection and violates the due process clause of the fourteenth Amendment. The brief for the State presents legal and social arguments upholding the law. These are arranged to show that the police power of the State amply suffices to protect the people from the dangers arising through overwork or through malnutrition caused by under-payment. The brief also contains opinions of experts and statistical tables with other evidence showing the bad effect of excessively low wages on morals, on efficiency of the workman and on the public welfare. The argument is broadly conceived and is an admirable epitome of the whole social viewpoint in labor legislation.

Justice Brandeis, who had assisted in the preparation of the brief before his appointment to the bench, did not participate in the decision, the remaining eight justices were equally divided for and against the appeal. As the State court had upheld the act, an equal division on the appeal allows the State decision to stand, so that the minimum wage law is in effect declared constitutional.

J. T. Y.

JONES, F. ROBERTSON (Ed. by). *Workmen's Compensation Laws of the States and Territories of the United States*. Price, single copies, 25 cents; complete set of 35 pamphlets, \$5.00. New York: Workmen's Compensation Publicity Bureau, 1917.

This series is an extremely convenient form of issue for the compensation acts. Each act is published with its amendments, accompanied by a complete digest with references to sections and clauses. The cover of each has a distinctive color for ready selection. The type is small but clear. The Publicity Bureau has performed a public service in issuing this convenient and well-arranged series.

LAUCK, W. JETT and SYDENSTRICKER, EDGAR. *Conditions of Labor in American Industries*. Pp. xi, 403. Price, \$1.75. New York: Funk and Wagnalls Company, 1917.

The American public is probably less informed on the real facts of labor conditions than any other great people. We speak glibly of wage rates and hours of labor without knowing whether the rates and hours mentioned apply to 1 or 100 per cent of the workers. We cite instances of welfare work by employers but we do not know how many people are affected by modern, up-to-

date welfare systems. We talk of living conditions in New York, Philadelphia, Chicago and of family budgets of the working classes, but few, if any of us, know what is the real charge for rent, for food and clothing and other necessities. In short, we do not understand the conditions under which the worker is operating in either factory or home. The authors of the present book aim to set forth in interesting, readable and very concise form a summary of all the more important recent investigations of these facts. They enjoy a special advantage in having been assigned to do this work for the recent Federal Commission on Industrial Relations. As their report, like so many others of that body, was never published, the authors have rearranged their material slightly, added some further data, and published it on their own responsibility. The book is intelligently planned, is designed to answer those questions which so frequently arise in the mind of the legislator, the teacher, the general reader, and the newspaper editor. There are chapters on The Racial Composition of the Labor Force, the extent of the employment of women and children in industry; Wages; Loss in Working Time and Its Causes; Working Conditions, including hours, accidents, profit sharing, welfare work, scientific management; Family Incomes; Living Conditions, including diet, housing, living arrangements, ownership, health, and The Adequacy of Wages. In each of these the effort has been to state facts, usually without inferences on disputed points. The final chapter contains some specially interesting figures on

(1) The adequacy of earnings of male workers to support families; (2) Of women's wages to support independent wage-earners; (3) Total incomes of wage-earning families; (4) The effect of higher living costs. Here the authors depart from their general policy and give definite conclusions which, however, will be generally accepted. They quote the "staff report" to the Federal Commission on Industrial Relations.

"The welfare of the State demands that the useful labor of every able-bodied workman should, as a minimum, be compensated by sufficient income to support in comfort himself, a wife, and at least three minor children, and in addition to provide for sickness, old age and disability. Under no other conditions can a strong, contented and efficient citizenship be developed."

They also set forth the general agreement among investigators that the American woman wage worker should receive from \$8.00 upwards weekly in order to maintain conditions of decency and health, and they point out that over three fourths of the women in the principal industries and mercantile establishments get less than this amount, while one half in these employments receive only \$6.00. These figures make no allowance for time lost from employment, although as a fact actual earnings fall far short of the nominal rates of pay. The authors also conclude that the wage-earning family as a rule secures less than is needed under modern conditions. While these conclusions are based on conditions as they existed in 1914, the increase in living costs since that time has been greater than in wages. While replete with statistics, the book is interesting throughout. It deserves careful study and a wide circle of readers.

JAMES T. YOUNG.

*University of Pennsylvania.*

REELY, MARY KATHERINE (Compiled by). *Selected Articles on Minimum Wage*. Pp. xxvi, 202. Price, \$1.25. White Plains, N. Y.: The H. W. Wilson Company, 1917.

## MISCELLANEOUS

HURLEY, EDWARD N. *Awakening of Business*. Pp. xvi, 240. Price, \$2.00. New York: Doubleday, Page and Company, 1916.

In popular, almost journalistic form, the newer point of view as to the relation between government and business is set forth by Mr. Hurley, who is well qualified to treat the subject because of his long experience in business and his membership in the Federal Trade Commission. In Part I, *How Business Men Can Help Themselves*, he considers some of the progressive changes that are taking place in American commercial and industrial life, dwelling on the vital importance of better cost accounting, the perfection of methods of merchandising, and the necessity of closer coöperation through trade associations.

In Part II, strong emphasis is placed on need for greater coöperation between Government and Business.

A valuable chapter on the work of the Trade Commission shows how the Commission prevents law suits. Methods of competition which have been complained of are discussed in detail, their practical economic effects are shown, the views of competitors are heard, and the whole situation is thoroughly cleared up before a ruling is made.

The author pleads for a broader viewpoint on the part of the individual business man and for a determined effort to cut out extravagant wastes of resources and labor which he regards as one of our greatest national failings. He is optimistic and singularly devoid of that fear of calamity from either foreign competition or government oppression which permeates the writings and addresses of the older school. His attention is taken up less with "grave perils" than with means of strengthening and expanding business prosperity.

J. T. Y.

MARQUIS, ALBERT NELSON (Ed.). *Who's Who in America, 1916-17*. Pp. xxxi, 2901. Price, \$5.00. Chicago: A. N. Marquis and Company, 1916.

An authoritative bibliography of noted living men and women of the United States. This ninth edition contains 21,922 sketches, of which 2,589 appeared in no previous issue.

WICKWARE, FRANCIS G. (Ed. by). *The American Year Book, 1916*. Pp. xviii, 862. Price, \$3.00. New York: D. Appleton and Company, 1917.

This seventh edition of the *American Year Book* will be welcomed by those who have found the earlier editions so worth-while. It is a concise, convenient reference book for those desirous of obtaining an authoritative record of the events and progress of 1916. Cross references and a very detailed index enhance its value.



## ECONOMICS

GIBBS, WINIFRED STUART. *The Minimum Cost of Living: A Study of Families of Limited Income in New York City.* Pp. xv, 93. Price, \$1.00. New York: The Macmillan Company, 1917.

ROSE, MARY SWARTZ. *Feeding the Family.* Pp. xvii, 449. Price, \$2.10. New York: The Macmillan Company, 1916.

*The Minimum Cost of Living* gives the results of a systematic method of recording family expenditures. It is of value because it shows how families can maintain self respect, health and working power on a small sum of money by means of the budget. It must be kept in mind, however, in reading this book that the budgets given are *not to be set up as standards for the cost of living*. The clothing estimate is admittedly inadequate even when eked out by gifts of clothing from relations.

Miss Rose has given us a guide to good nutrition in *Feeding the Family* at a time when food values are a national problem. The discussion of food materials and bodily needs is comprehensive enough to take in all ages and the sex distinction and definite enough to group them properly. Dietary suggestions are offered for the muscularly active, the sedentary, the fat and the thin, the prospective and the nursing mother, the sick and the convalescent, and the family as a whole is considered.

Food values are handled in a way that housewives can understand and prices of food are subordinated to food values, though economical menus are given and simple dishes used in food groupings and combinations. Food prejudices and food habits are discussed.

N. D. H.

McPHERSON, LOGAN G. *How the World Makes Its Living.* Pp. vii, 435. Price, \$2.00. New York: The Century Company, 1916.

O'HARA, FRANK. *Introduction to Economics.* Pp. vii, 259. Price, \$1.00. New York: The Macmillan Company, 1916.

In this volume the author has undertaken to give a popular presentation of the theory of economic life as it exists today and its evolution from earlier institutions. There is an evident attempt to make the book thoroughly scientific and, at the same time, readable. In the latter respect, the author has certainly succeeded most admirably. Unfortunately, the scientific accuracy of the work is marred by carelessness at certain points. For example, the word utility is used sometimes to designate a material thing and sometimes to indicate the relation of a thing to a person. Similarly, the ideas of utility and value are confused throughout the book. This leads the author into the error of constantly referring to the "flow of value" and "the aggregate of values." The interest theory presented by Mr. McPherson seems to the reviewer to be materially incomplete.

At the close of the book, the author goes out of his way to condemn government ownership and labor unions and to extol the merits of our great corporations. Aside from the final chapters which deal with the subjects just mentioned, the

book is remarkably free from bias. The great bulk of the economic theory stated is sound and is presented in a refreshingly clear manner.

While Mr. McPherson's book can be heartily recommended to the general reader, it is not at all the type of book for use as a class-room text. Mr. O'Hara, on the other hand, has presented a treatise primarily useful to the student.

The book is not without its weak points. The relationship between subjective value and market value is not made plain. The equation of exchange is wrongfully identified with the quantity theory of money. The controlling influence of the standard of life and the laws of population upon wages is not brought out. Land ownership is, by inference, identified with monopoly. But most of these are but minor points, and the accuracy of the statements in general compares favorably with the majority of modern texts. The theory presented is of the orthodox eclectic type and is stated in unusually lucid form. The striking feature of the book is its brevity, and hence the treatment of each subject is necessarily confined only to principal points and is much condensed. This new text will, therefore, prove useful to those teachers who find it necessary to cover the general field of economics in one semester, for its style and pedagogical form are admirable.

WILLFORD I. KING.

*Public Health Statistician, Spartanburg, S. C.*

MONTGOMERY, ROBERT H. *1917 Income Tax Procedure*. Pp. x, 461. Price, \$2.50. New York: The Ronald Press Company, 1917.

"This is not a treatise on the income tax. It is not a history. It is not a digest. It does not even purport to contain *all* of the Treasury Department regulations and decisions. It will, however, answer about 98 out of 100 anxious questions. It mentions some of the difficulties which lawyers and accountants have in trying to understand the law. It suggests some improvements in the law and in the Treasury Department's interpretations of the law. It criticizes the law and other persons and things and is subject to criticism. Any kind of criticism, destructive or constructive, will be welcome."

The above breezy paragraph, which is the opening one of a rather long preface, gives the reader the atmosphere and purpose of the work. It is a manual and at the same time not a manual; it is both technical and critical, but illustrative rather than comprehensive. Chief attention is paid to the Federal Income Tax Laws of 1913 and 1916, though chapters are devoted to the Corporation Excise Tax, the Munition Manufacturers' Tax, state and municipal income taxes. Frequent comparisons are made with our Civil War income tax and the British income tax, both as regards practices and court decisions.

The writer is an attorney and a certified public accountant. The book is written from the point of view of one with such training and interests as this implies. The work will be helpful to those not familiar with the preparation of income tax returns, but it will not take the place of a lawyer and an accountant where the problems are complex. The author does not hesitate to uphold the law and related rulings where he deems them justifiable, nor to criticize where he

thinks they are not what they should be. Most of the criticisms are well taken, but not all of them are expressed conservatively and judiciously.

ROY G. BLAKELY.

*University of Minnesota.*

RYAN, JOHN A. *Distributive Justice: The Right and Wrong of Our Present Distribution of Wealth.* Pp. xviii, 442. Price, \$1.50. New York: The Macmillan Company, 1916.

KLEENE, G. A. *Profit and Wages: A Study in the Distribution of Income.* Pp. iv, 171. Price, \$1.25. New York: The Macmillan Company, 1916.

These volumes alike attest the return of economic theory to a formal consideration of the problems of welfare. They have more in common with the classics in which ethical considerations were explicit than with the more modern positive studies in which they are implicit.

Dr. Ryan essays the task of passing upon the justice of the existing distributive scheme. To that end he grounds an ably sustained and highly articulate argument upon the double basis of the economics of neo-classicism and the ethics of established catholicism. The materials and criteria from these sources together lead him to the conclusion that each of the traditional shares in distribution, rent, interest, profits, and wages, is justified, but that each is susceptible to abuse. Towards the eradication of "wrongs" he advocates a certain amount of state interference, presumably upon the basis of the existing institutional system. But this is evidently a mere makeshift, for he is convinced that their source lies in personal immorality. Their elimination, therefore, requires a higher personal morality, towards which "the most necessary requisite is a revival of genuine religion" (p. 433). Typical of his argument is an omission of any discussion of the population question, evidently upon the ground that numbers are not, or should not be, subject to human control. In fact, despite elaborate arguments, it is evident that the real questions at issue are all contained in his assumptions. The volume bears the *nil obstat* and *imprimatur* of the church.

Professor Kleene's volume must be classified as a contribution to economic criticism. He passes in review the various systems of distribution which have been advanced in recent years. His attention falls largely upon their assumptions and implications. He exposes the inadequacy of the rationalistic and utilitarian bases from which such schools as the Austrian, the American productivity, and their many variants proceed, protests against the assumption that the problem of distribution is contained in the problem of value, and insists that by implication modern "positive" schools justify the existing order. On its constructive side the book is fragmentary and lacks coherence. It doubtless will prove useful both to those who are insisting upon a return of theory to the problems and methods of classicism and to those who are demanding a newer institutional economics. If the book is far weaker as a constructive study than as a critical attack, the result is not evidence of personal weakness on the part of the author. Rather it affords testimony to the existing state of economic theory.

In view of their problems it is unfortunate that both volumes reveal a lack of

familiarity with the writings of the school of English economists who recently have been giving their attention to the subject of welfare, and who of all current theorists seem to be most fully conscious of what they are doing.

WALTON H. HAMILTON.

*Amherst College.*

SCHEFTTEL, YETTA. *The Taxation of Land Value*. Pp. xv, 489. Price, \$2.00. Boston: Houghton, Mifflin Company, 1916.

Miss Scheftel has prepared a judicious, well-balanced treatment of land-value taxation in those countries where the scheme has been chiefly tried. The history of Australasian land taxes, German taxes on value increment, English land-value duties, and municipal land taxes in Canada is carefully outlined. Study is also given to the fiscal, economic and social effects of such taxes.

Although single taxers have generally welcomed the adoption of land-value taxation as a vindication of their doctrines, the author points out that "not only in method of assessment and levy, but also in their rationale great differences exist" between the single tax and land-value taxes. Advocates of the single tax urge their plan as "a weapon with which to clear the way to their Utopia," whereas land-value taxes have been adopted in part for fiscal purposes, in part for social reform. Nor is the difference between the two systems one of degree merely: "the doctrine of abolishing all (other) taxes is foreign to the principle of the tax on land value, as is the confiscatory feature of the single tax."

The conclusion is reached that land-value taxes have failed to produce *vital* social reform. Only to a brief extent have they checked land speculation, reduced rents or ameliorated housing conditions. On the fiscal side their success has been somewhat more pronounced.

The final chapter in the volume deals with the expediency of taxes on land value in the United States. A valuable bibliography is appended.

F. T. S.

#### POLITICAL SCIENCE

BIGELOW, JOHN. *Breaches of Anglo-American Treaties*. Pp. xi, 248. Price, \$1.50. New York: Sturgis and Walton Company, 1917.

Major Bigelow attempts to defend the United States against charges made by certain English newspapers and authors that the policy of the American government has been to regard treaties as binding only when it suits its convenience to observe them. He reviews in turn the history of all treaties, conventions and other agreements that have been concluded between the United States and Great Britain since the beginning of our national existence, violations of which by either of the contracting parties have been alleged, examines the infractions charged in each case and strikes a balance of the accounts with a view to determining which party has been the greater offender. The result of his findings is that during the one hundred and thirty years between 1783 and 1913 about thirty separate and distinct compacts that may properly be considered as treaties were entered into

between the two countries and that of these, eight were violated by Great Britain: the treaty of peace, 1783, the Jay treaty, the treaty of Ghent, the Rush-Bagot agreement of 1818, the Fishery Convention of 1819, the Indemnity Convention of 1823, the Clayton Bulwer treaty of 1850 and the treaty of Washington of 1871. Of these, the first, second, fourth and fifth may be regarded as having been violated by the United States but with the possible exception of the fifth the American violations took place only after the treaties had been violated by Great Britain, and consequently the United States cannot be justly reproached for disregarding obligations which Great Britain had declined to observe. No treaty, he adds, appears to have been violated by the United States alone.

The limits of this review do not permit of an analysis, or estimate of the evidence which Major Bigelow brings forward in support of his conclusions but it may be doubted whether the case he makes out against Great Britain in some of the instances which he cites is conclusive. Thus, in the case of the treaty of 1783, it is true that the fulfillment of the stipulations regarding impediments to the collection of debts due British creditors devolved upon the States rather than upon the national government, but to invoke this circumstance in avoidance of the national obligation was to take advantage of a technicality and to rely upon the letter rather than the spirit of the treaty. It was, of course, the duty of the British government to evacuate all of the Western posts as soon as possible, as the treaty required, and as this was not done Great Britain's violation of the treaty may be said to have antedated the American violations. Nevertheless, the British government in the end performed its stipulations, even if tardily, whereas the States systematically interposed obstacles in the way of the execution of Article IV of the treaty. It is difficult for an unbiased mind to avoid the conclusion that the American offense was the more reprehensible of the two.

JAMES W. GARNER.

*University of Illinois.*

JONES, CHESTER LLOYD. *Caribbean Interests of the United States*. Pp. viii, 379. Price, \$2.50. New York: D. Appleton and Company, 1916.

Dr. Jones has written a valuable and stimulating work on a field of great interest, politically as well as economically, to the United States. His is practically the first work to deal in any comprehensive way with present important problems and capabilities of this increasingly strategic area. It is to be hoped that the further study of these will appeal not only to the student but also to the man in business and public life. The average American is poorly informed on the subject and can read with profit the significant facts that Dr. Jones has here so well brought together. Though the book is popular in form, a liberal use has been made of our Consular and Trade Reports, commercial relations and a good range of substantial authorities. While emphasis is given to economic conditions and to the trade relations of the West Indies, Central America, and northern South America with the United States in particular, the views expressed of our political and diplomatic interests in these regions will merit no less consideration.

J. C. B.

TREITSCHKE, HEINRICH VON. *Politics* (translated by Blanche Dugdale and Torben de Bille). (2 vols.) Pp. 1, 1049. Price, \$7.00. New York: The Macmillan Company, 1916.

It is in Treitschke's *Politics* that one finds a bold expression of all of the ideas now held to be typically Prussian. "We may say that power is the vital principle of the State, as faith is that of the Church, and love that of the family" says Treitschke (page 23). In the expression of this power "a step forward has been taken when the mute obedience of the citizens is transformed into a rational inward assent, but it cannot be said that this is absolutely necessary. Powerful, highly-developed Empires have stood for centuries without its aid. Submission is what the State primarily requires; it insists upon acquiescence; its very essence is the accomplishment of its will" (page 23). "Brave peoples alone have an existence, an evolution or a future; the weak and cowardly perish, and perish justly. The grandeur of history lies in the perpetual conflict of nations, and it is simply foolish to desire the suppression of their rivalry. Mankind has ever found it to be so" (page 21). One need not mention Belgium here.

In the first book (which forms Volume I) on *The Nature of the State* are chapters on: The State Idea; The Aim of the State; The State in Relation to the Moral Law; The Rise and Fall of States; Government and the Governed. In the second book on *The Social Foundations of the State* there are chapters on Land and People; The Family; Races, Tribes, and Nations; Castes, Estates, Classes; Religion; National Education; Political Economy. There is an introduction by Rt. Hon. Arthur James Balfour and a Foreword by A. Lawrence Lowell. Good clear type makes reading easy.

As a work of scholarship, Treitschke's *Politics* is neither important nor profound. Witness the following statement: "France always fluctuates between bigotry and a false Liberalism," (page 12). But Treitschke's *Politics* is famous for the national ideals to which it has or has presumed to give expression, not for its profundity or its intrinsic worth.

CLYDE L. KING.

*University of Pennsylvania.*

WEYL, WALTER E. *American World Policies*. Pp. 307. Price, \$2.25. New York: The Macmillan Company, 1917.

A book on American World Policies written by Mr. Root, Colonel Roosevelt, or Mr. Taft would arouse varying degrees of interest according as one judged the ability of each of these statesmen to write authoritatively on so momentous a topic. So likewise one is bound to question the qualifications of Mr. Weyl. The author is primarily an economist. This accounts for both the strength and the weakness of the book. Its weakness consists in the author's tendency to interpret all international relations in economic terms. To such an extent does this carry him that he is led to make unfortunate comments of the following character: "Not until it was seen that they no longer paid did the Crusades end; not heavenly but earthly motives inspired most of these soldiers of Christ. It was business, the business of a crudely organized, over-populated, agricultural Europe" (page 23). Such an attitude of mind hardly qualifies one to preserve a proper sense of international values.

With this word of caution in mind, Mr. Weyl's book may be read with extreme profit and pleasure. Whatever his own personal standard of values may be, the author is too keen an observer, too candid a critic to fail to note the main facts, the significant phenomena of international relations. No matter how grossly materialistic his conclusions may be, the facts, the enormous mass of materials with which he works are of supreme importance. He compels the reader to consider and ponder thoughtfully matters which most writers in this field have either ignored or failed to emphasize. Unlike Norman Angell, Mr. Weyl recognizes that wars sometimes do pay; that nationalism is a very great factor to be recognized and not slighted; that pacifism has been on the wrong scent, and that the propaganda for internationalism has been sadly misdirected.

The strength of this book lies in the overwhelmingly convincing manner with which the author demonstrates the absolute need of an "economic internationalism" as the basis of world-peace. At a time when the Entente Allies have threatened to wage an economic warfare on Germany at the end of this interminable war, it is a positive service to draw men's attention to this supremely important factor in international relations. Mr. Weyl stresses the economic causes of war, and shows that the rapid "integration" of the world demands that all men should have a fair share in its natural resources and markets wherever they may be found whether in vast colonial empires or backward, undeveloped nations.

Mr. Weyl feels compelled to present a programme for this economic internationalism he believes to be of such vital importance. It is worth while to quote his own words:

"In the main our problem consists in using the influence of the United States to create such an economic harmony among the nations, and to give each nation such a measure of security as to permit them to agree upon an international policy, which will be in the interest of all. The chief elements of this programme are two in number: to create conditions within the United States" [he means economic conditions, industrial and agricultural development, etc.] "which will permit us to exert a real influence; and to use this influence in the creation of an international organization, which will give each nation a measure of economic and military security, and prevent any nation from wantonly breaking the peace" (p. 289).

It is along such suggestive lines as this that Mr. Weyl's book is of very real value. On other lines, such as relate to international law and diplomacy—"freedom of the seas" for example—he is not convincing.

From a strictly economic point of view his book is a distinct contribution to a better understanding of the foundations of international harmony and order. It is good literature as well. The reader will feel amply repaid for giving it the most thoughtful attention.

PHILIP MARSHALL BROWN.

*Princeton University.*

### SOCIOLOGY

FAIRCHILD, HENRY PRATT. *Outline of Applied Sociology*. Pp. x, 353. Price, \$1.75. New York: The Macmillan Company, 1916.

According to the author, this book "concerns itself but little with questions of origins, and devotes itself to facts rather than to theories." Professor Fairchild defines sociology as "the study of man and his human environment in their relation

to each other," and states that the goal of applied sociology is "to increase the sum total of human welfare." As a guide, he adopts Sumner's obsolescent classification of the social forces as hunger, love, vanity, and the fear of ghosts, and their corresponding activities in modern societies; namely, economic life, growth of population, esthetic life, and intellectual and spiritual life.

The economic life and growth of population are discussed at considerable length. The esthetic life is scantily treated. To the intellectual life are allotted barely two pages on education, while science, the most powerful intellectual force, is entirely ignored. Religion, by which the author seems to mean Christianity, is treated from the conventional, up-to-date Christian point of view. In this matter he would have done better if he had followed the lead of his master, the late Professor Sumner. The political life of society is completely ignored.

This book displays the tendency, common in such books, to put much emphasis upon the abnormal and pathological aspects of social life, despite the fact that an outline of applied sociology should devote at least as much attention to the normal aspects of social life. The book is sketchy and inadequate to attain its avowed purpose. It is more readable than most books of its kind, though too obviously sprightly at times. The author's point of view is moderately progressive, but without any originality.

The principal defect of this book is that it utterly ignores biology and psychology. While the author disclaims that he is searching for origins, it is no longer possible to deal scientifically even with the most practical aspects of social life without making some use of modern biological and psychological methods and principles.

Too many books of this nature are now being produced in this country, as has frequently been observed by our European critics. This book is somewhat above the average of its kind. But of much greater value, both scientifically and practically, are books which make more intensive studies of specific social problems, and which are thoroughly informed by modern biology and psychology and imbued with their spirit.

MAURICE PARMELEE.

*College of the City of New York.*

STEINER, EDWARD A. *Nationalizing America*. Pp. 240. Price, \$1.15. New York: Fleming H. Revell Company, 1916.

In this volume as in no other of his numerous writings, the author reveals his personality and his patriotism. It reflects his mental conflicts and his interest in the new problem of nationality growing out of the great war. He analyzes with a keen yet human sympathy the mind of America and the mind of the immigrant, and forecasts the nature of the problem of Americanization with an optimism that is refreshing even if sometimes somewhat visionary. He is caustic in his criticism of the schools and churches in the part they play in the solution of the problem, and points out the lack of conscious constructive effort to remedy the ills we are so ready to condemn. The book is particularly valuable at this time in establishing a rational point of view. It is written in the interesting style characteristic of the author. One does not like to lay it down until he has finished it.

J. P. L.



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Supplement to

**The Annals of**  
THE AMERICAN ACADEMY OF POLITICAL  
AND SOCIAL SCIENCE

May, 1917

# *The Mexican Constitution of 1917*

*Compared with*

# *The Constitution of 1857*

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PHILADELPHIA

*The American Academy of Political and Social Science*

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**THE MEXICAN CONSTITUTION OF 1917**  
**COMPARED WITH**  
**THE CONSTITUTION OF 1857**

**TRANSLATED AND ARRANGED**  
**BY**  
**H. N. BRANCH, LL.B.**

**WITH A FOREWORD**  
**BY**  
**L. S. ROWE, Ph.D., LL.D.**



**PHILADELPHIA**  
**THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE**  
**1917**

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## FOREWORD

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The widespread interest in Mexican affairs has led the Editorial Council of the Academy to arrange for the early publication of the Mexican Constitution adopted at the recent Constitutional Convention held in Queretaro. In a sense this publication supplements the special volume issued by the Academy in January last on "The Purposes and Ideals of the Mexican Revolution."

Since the first movement for independence from the mother country in 1810, Mexico has passed through an extraordinary constitutional development. The idea of a Republican form of government made its way but slowly amongst the founders of Mexican independence. Between 1810 and 1824 the opinion of the country wavered between a constitutional monarchy and a republic. It is true that the earliest Mexican Constitution—that adopted in Apatzingan by the first Constitutional Convention—provided for a republican form of government with an Executive composed of three persons elected by the National Congress. Amongst the members of this triumvirate, a system of rotation in office was established under which each exercised the powers of Chief Executive during a consecutive period of four months.

This Constitution was regarded as provisional. As soon as the struggle for independence was over, the leaders planned to call another convention for the purposes of effecting the final organization of the country. During the period between 1815 and 1857, the country was torn by internal strife and almost every conceivable form of Constitutional systems was tried, ranging from a republican triumvirate to the imperial system of Iturbide.

The development of Federalism in Mexico stands in marked contrast with the political evolution of the United States. In Mexico, federalism meant the sub-division of what had been, under Spanish rule, a centralized, unified system; in the United States, the establishment of a federal system signified a closer union between separated political units. In spite of the adoption of a federal system by Mexico in 1857, the highly centralized traditions of Spanish rule perpetuated themselves and finally resulted, under

the Diaz administration, in the complete subordination of the individual states to the national government.

The leaders of the revolutionary movement against the Diaz régime were convinced that the Constitution of 1857 had been used by self-seeking politicians for personal ends and that its provisions had contributed toward the domination of the country by a self constituted oligarchy. It is not surprising, therefore, to find radical changes in the Constitution of 1917. The revolutionary leaders, headed by Venustiano Carranza, hold that the avowed purposes of the revolutionary movement, namely to secure for the masses of the Mexican people better economic and social conditions, must be incorporated into the organic law and it is their hope that thereby the country will be protected against a possible reactionary movement. To what extent these hopes will be realized, the future alone can determine.

The Academy is under obligation to Mr. H. N. Branch for his admirable translation of the Constitution of 1917. His painstaking effort has also made it possible for the Academy to place before its members the illuminating comparison between the Constitutions of 1857 and 1917.

L. S. ROWE.

University of Pennsylvania.  
May, 1917.

## PREFACE

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In this translation, the effort has been made to use terms familiar to the English-speaking world, *e.g.*, "House of Representatives," "Attorney General," "impeachment," etc., even though such phrases do not always connote precisely the same thing in the Mexican constitutional system as in that of the United States. Any attempt to coin new and strained English terms would be confusing.

The substantial innovations introduced into the 1917 text are shown in italics, while the important omissions from the 1857 text are set in black face type.

Acknowledgment is made to José Ignacio Rodríguez, ex-Chief Translator and Librarian of the Pan American Union, for his rendering of the 1857 constitution, from which the present version of this document was largely drawn.

H. N. BRANCH.

The Sorrento, Washington, D. C.  
March, 1917



# MEXICAN CONSTITUTION OF 1917 COMPARED WITH CONSTITUTION OF 1857

## CONSTITUTION OF 1857

## CONSTITUTION OF 1917

### PREAMBLE

In the name of God and by the authority of the Mexican people.

The representatives of the different States, of the District and of the Territories which compose the Republic of Mexico, called upon by the provisions of the Plan proclaimed in Ayutla the first of March, eighteen hundred and fifty-four, amended in Acapulco the eleventh day of the same month and year, and by the call issued the seventeenth of October, eighteen hundred and fifty-five, to convene for the purpose of framing a constitution for the nation and making it a popular representative, democratic republic, exercising the powers with which they are vested, do hereby comply with the requirements of their high office, by decreeing the following political Constitution of the Mexican Republic, on the indestructible basis of its legitimate independence, proclaimed the sixteenth of September, eighteen hundred and ten, and consummated the twenty-seventh of September, eighteen hundred and twenty-one.

1857

## TITLE I

## SECTION I

*Of the Rights of Man*

Article 1. The Mexican people recognize that the rights of man are the basis and the object of social institutions. Consequently they declare that all the laws and all the authorities of the country must respect and maintain the guarantees which the present constitution grants.

Art. 2. In the Republic all are born free. Slaves who set foot upon the national territory shall recover, by this act alone, their freedom, and enjoy the protection of the law.

Art. 3. Instruction is free. The law shall determine what professions shall require licenses for their exercise, and what requisites are necessary to obtain said licenses.

Art. 4. Every one is free to engage in any honorable and useful profession, industrial pursuit, or occupation suitable to him, and to avail himself of its products. The exercise of this liberty shall not be hindered except by judicial sentence when

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## TITLE I

## CHAPTER I

*Of Personal Guarantees*

Article 1. *Every person in the United States of Mexico shall enjoy all guarantees granted by this Constitution; these shall neither be abridged nor suspended except in such cases and under such conditions as are herein provided.*<sup>1</sup>

Art. 2. Slavery is forbidden in the United States of Mexico. Slaves who enter the national territory shall, by this act alone, recover their freedom, and enjoy the protection of the law.

Art. 3. Instruction is free; *that given in public institutions of learning shall be secular. Primary instruction, whether higher or lower, given in private institutions shall likewise be secular.*

*No religious corporation nor minister of any religious creed shall establish or direct schools of primary instruction.*

*Private primary schools may be established only subject to official supervision.*

*Primary instruction in public institutions shall be gratuitous.*

Art. 4. No person shall be prevented from engaging in any profession, industrial or commercial pursuit or occupation of his liking, *provided it be lawful.* The exercise of this liberty shall only be forbidden by judicial

<sup>1</sup> See Art. 29.



1857

such exercise infringes the rights of a third party, or by executive order, issued in the manner specified by law, when it offends the rights of society.

Art. 5. No one shall be compelled to render personal services without due compensation and without his full consent, excepting labor imposed as a penalty by judicial decree.

Subject to the conditions set forth in the respective laws, only military service shall be obligatory; and municipal service, service in connection with elections, and jury service shall be obligatory and without compensation.

The State shall not permit any contract, covenant, or agreement to be carried out having for its object the abridgment, loss or irrevocable sacrifice of the liberty of man, whether by reason of labor, education or religious vows.

The law, therefore, does not recognize, nor consent to the establishment of, monastic orders, of whatever denomination or for whatever purpose contemplated. Nor shall any person legally agree to his own proscription or exile. [*As amended, June 10, 1898.*]

1917

order when the rights of third persons are infringed, or by executive order, issued under the conditions prescribed by law, when the rights of society are violated. No one shall be deprived of the fruit of his labor except by judicial decree.

Each State shall determine by law what professions shall require licenses, the requisites to be complied with in obtaining the same, and the authorities empowered to issue them.

Art. 5. No one shall be compelled to render personal services without due compensation and without his full consent, excepting labor imposed as a penalty by judicial decree; *which shall conform to the provisions of clauses I and II of Article 123.*

Only the following public services shall be obligatory, subject to the conditions set forth in the respective laws: military service, *jury service, service in municipal and other public elective office, whether this election be direct or indirect*, and service in connection with elections, which shall be obligatory and without compensation.

The State shall not permit any contract, covenant or agreement to be carried out having for its object the abridgment, loss or irrevocable sacrifice of the liberty of man, whether by reason of labor, education or religious vows. The law, therefore, does not permit the establishment of monastic orders, of whatever denomination, or for whatever purpose contemplated.

1857

Art. 6. The expression of ideas shall not be the subject of any judicial or executive investigation, unless it offend good morals, impair the rights of third parties, incite to crime or cause a breach of the peace.

Art. 7. Freedom of writing and publishing writings on any subject is inviolable. No law or authority shall have the right to establish censorship, require bond from authors or printers, nor restrict the liberty of the press, which shall be limited only by the respect due to private life, morals, and public peace. Cases of offenses committed through the public press shall be tried by the competent courts of the Union, the States, the

1917

Nor shall any person legally agree to his own proscription or exile, or to the temporary or permanent renunciation of the exercise of any profession or industrial or commercial pursuit.

A contract for labor shall only be binding to render the services agreed upon for the time fixed by law and shall not exceed one year to the prejudice of the party rendering the service; nor shall it in any case whatsoever embrace the waiver, loss or abridgment of any political or civil right.

In the event of a breach of such contract on the part of the party pledging himself to render the service, the said party shall only be liable civilly for damages arising from such breach, and in no event shall coercion against his person be employed.

Art. 6. [Identical]

Art. 7. Freedom of writing and publishing writings on any subject is inviolable. No law or authority shall have the right to establish censorship, require bond from authors or printers, nor restrict the liberty of the press, which shall be limited only by the respect due to private life, morals and public peace. *Under no circumstances shall a printing press be sequestered as the corpus delicti.*

The organic laws shall pre-

1857

Federal District or the Territory of Lower California, according to penal law. [*As amended, May 15, 1883.*]

Art. 8. The right of petition, exercised in writing in a peaceful and respectful manner, is inviolable; but in political matters only citizens of the Republic may exercise it. To every petition an answer shall be given in writing, in the form of a decision, by the official to whom it may have been addressed, and the said official shall be bound to make the petitioner acquainted with the result.

Art. 9. No one shall be deprived of the right peaceably to assemble or to come together for any lawful purpose; but only citizens<sup>1</sup> shall be permitted to exercise this right for the purpose of taking part in the political affairs of the country. No armed assembly shall have the right to deliberate.

<sup>1</sup> See Arts. 34 and 35 for definition and prerogatives of citizenship.

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scribe whatever provisions may be necessary to prevent the imprisonment, under pretext of a denunciation of offenses of the press, of the vendors, newsboys, workmen and other employees of the establishment publishing the writing denounced, unless their responsibility be previously established.

Art. 8. Public officials and employees shall respect the exercise of the right of petition, provided it be in writing and in a peaceful and respectful manner; but this right may be exercised in political matters solely by citizens.

To every petition there shall be given an answer in writing by the official to whom it may be addressed, and the said official shall be bound to inform the petitioner of the decision taken *within a brief period.*

Art. 9. The right peaceably to assemble or to come together for any lawful purpose shall not be abridged; but only citizens shall be permitted to exercise this right for the purpose of taking part in the political affairs of the country. No armed assembly shall have the right to deliberate.

*No meeting or assembly shall be deemed unlawful, nor may it be dissolved, which shall have for its purpose the petitioning of any authority or the presentation of any protest against any act, provided no insults be proffered against the said authority, nor violence resorted to, nor threats used to intimidate or to compel*

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Art. 10. Every one has the right to possess and carry arms for his safety and legitimate defense. The law shall designate what arms are prohibited, and the punishment to be incurred by those who carry them.

Art. 11. Every one has the right to enter and leave the Republic, to travel through its territory and change his residence without necessity of a letter of security, passport, safe conduct or any other similar requirement. The exercise of this right shall be subordinated to the powers of the judiciary, in the event of civil or criminal responsibility, and to those of the executive, in so far as relates to the limitations imposed by law in regard to emigration, immigration, and the public health of the country. [*As amended, November 12, 1908.*]

Art. 12. No titles of nobility, or prerogatives, or hereditary honors exist in the Republic nor shall they be recognized therein. Only the people, legally represented, may decree recompenses in honor of those who have rendered or may render eminent services to the country or to humanity.

1917

*the said authority to render a favorable decision.*

Art. 10. The inhabitants of the United States of Mexico are entitled to have arms of any kind in their possession for their protection and legitimate defense, excepting such as are expressly prohibited by law and such as the nation may reserve for the exclusive use of the army, navy and national guard; but they shall not bear such arms within inhabited places, except subject to the police regulations thereof.

Art. 11. Every one has the right to enter and leave the Republic, to travel through its territory and change his residence without necessity of a letter of security, passport, safe conduct or any other similar requirement. The exercise of this right shall be subordinated to the powers of the judiciary, in the event of civil or criminal responsibility, and to those of the executive, in so far as relates to the limitations imposed by law in regard to emigration, immigration, and the public health of the country, *or in regard to undesirable foreigners resident in the country.*

Art. 12. No titles of nobility, prerogatives or hereditary honors shall be granted in the United States of Mexico, *nor shall any effect be given to those granted by other countries.*

1857

Art. 13. In the Mexican Republic no one shall be tried according to private laws or by special tribunals. No person or corporation shall have privileges nor enjoy emoluments which are not in compensation for a public service and established by law. Military jurisdiction shall be recognized only for the trial of criminal cases having direct connection with military discipline. The law shall clearly define the cases included in this exception.

Art. 14. No retroactive law shall be enacted. No person shall be tried or sentenced except under laws previously enacted, exactly applicable to the case, and by a tribunal previously established by law.

Art. 15. No treaty shall ever be made for the extradition of

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Art. 13. No one shall be tried according to private laws or by special tribunals. No person or corporation shall have privileges nor enjoy emoluments which are not in compensation for public services and established by law. Military jurisdiction shall be recognized for the trial of criminal cases having direct connection with military discipline, *but the military tribunals shall in no case and for no reason extend their jurisdiction over persons not belonging to the army. Whenever a civilian shall be implicated in any military crime or offense, the cause shall be heard by the corresponding civil authorities.*

Art. 14. No law shall be given retroactive effect to the prejudice of any person whatsoever.

No person shall be deprived of life, liberty, property, possessions or rights without due process of law instituted before a duly created court, in which the essential elements of procedure are observed and in accordance with previously existing laws.

*In criminal cases no penalty shall be imposed by mere analogy or even by a priori evidence, but the penalty shall be decreed by a law in every respect applicable to the crime in question.*

*In civil suits the final judgment shall be according to the letter or the juridical interpretation of the law; in the absence of the latter, the general legal principles shall govern.*

Art. 15. No treaty shall be authorized for the extradition

1857

political offenders, or of offenders of the common class, who have been slaves in the country where the offense was committed; nor shall any agreement or treaty be entered into which abridges or modifies the guarantees and rights which this constitution grants to the individual and to the citizen.

Art. 16. No one shall be molested in his person, family, domicile, papers or possessions, except by virtue of an order in writing of the competent authority, setting forth the legal grounds upon which the measure is taken. In cases *in flagrante delicto* any person may apprehend the offender and his accomplices, placing them without delay at the disposal of the nearest authorities.

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of political offenders, or of offenders of the common class, who have been slaves in the country where the offense was committed. Nor shall any agreement or treaty be entered into which abridges or modifies the guarantees and rights which this constitution grants to the individual and to the citizen.

Art. 16. No one shall be molested in his person, family, domicile, papers or possessions, except by virtue of an order in writing of the competent authority setting forth the legal ground and justification for the action taken. *No order of arrest or detention shall be issued against any person other than by competent judicial authority, nor unless preceded by a charge, accusation or complaint for a specific offense punishable by imprisonment, supported by an affidavit of a credible party or by such other evidence as shall make the guilt of the accused probable; in cases in flagrante delicto any person may arrest the offender and his accomplices, placing them without delay at the disposition of the nearest authorities. Only in urgent cases instituted by the public attorney without previous complaint or indictment and when there is no judicial authority available may the administrative authorities, on their strictest accountability, order the detention of the accused, placing him at the disposition of the judicial authorities. Every search warrant, which may only be issued by the ju-*

See note to Art. 21, p. 114.

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Art. 17. No one shall be imprisoned for debts of a purely civil character. No one shall resort to violence in the enforcement of his rights. The tribunals shall always be open for the administration of justice, which shall be gratuitous, judicial costs being consequently abolished.

Art. 18. Imprisonment shall take place only for crimes deserving corporal punishment. In any stage of the case in which it shall appear that such a punishment can not be imposed upon the accused, he shall be set at

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*judicial authority and which must be in writing, shall specify the place to be searched, the person or persons to be arrested and the objects sought, to which the proceeding shall be strictly limited; at the conclusion of which, a detailed written statement shall be drawn up in the presence of two witnesses proposed by the occupant of the place to be searched, or, in his absence or refusal, by the official making the search.*

*Administrative officials may enter private houses solely for the purpose of determining that the sanitary and police regulations have been complied with; they may likewise demand the exhibition of books and documents necessary to prove that the fiscal regulations have been obeyed, subject to the respective laws and to the formalities prescribed for cases of search.*

Art. 17. No one shall be imprisoned for debts of a purely civil character. *No one shall take the law into his own hands, nor resort to violence in the enforcement of his rights. The courts shall be open for the administration of justice at such times and under such conditions as the law may establish; their services shall be gratuitous and all judicial costs are accordingly prohibited.*

Art. 18. *Detention shall be exercised only for offenses meriting corporal punishment. The place of detention shall be different and completely separated from that set apart for the serving of sentences. The Federal and State Govern-*

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liberty on bail.<sup>4</sup> In no case shall the imprisonment or detention be prolonged for failure to pay fees, or any other pecuniary charge.<sup>5</sup>

Art. 19. No detention shall exceed three days, unless justified by a warrant, issued in accordance with law, and giving the grounds for the imprisonment. The mere lapse of this time shall render the authority that orders or consents to it and the agents, ministers, wardens, or jailers who execute it, responsible therefor. Any maltreatment during apprehension or confinement; any molestation inflicted without legal justification; or any exaction or contribution levied in prison, is an abuse which the laws must correct and the authorities severely punish.

<sup>4</sup> Compare Sec. I, Art. 20, of 1917.

<sup>5</sup> Substantially identical with Sec. X, Art. 20, of 1917.

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*ments shall organize in their respective territories the penal system—penal colonies or prisons—on the basis of labor as a means of regeneration.*<sup>6</sup>

Art. 19. No detention shall exceed three days except for reasons specified in the formal order of commitment, *which shall set forth the offense charged, the substance thereof, the time, place and circumstances of its commission, and the facts disclosed in the preliminary examination; these facts must always be sufficient to establish the corpus delicti and the probable guilt of the accused.* All authorities ordering any detention or consenting thereto, as well as all agents, subordinates, wardens or jailers executing the same, shall be liable for any breach of this provision.

*The trial shall take place only for the offense or offenses set forth in the formal order of commitment. If it shall develop in the course of trial that another offense different from that charged has been committed, a separate accusation must be brought. This, however, shall not prevent the joinder of both causes of action, if deemed advisable.*

Any maltreatment during apprehension or confinement; any molestation inflicted without legal justification; any exaction or contribution levied in prison are abuses which the law shall correct and the authorities repress.

<sup>6</sup> See Art. 5 and Clauses I and II of Art. 123 of 1917.



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Art. 20. In every criminal trial the accused shall enjoy the following guarantees:

I. The grounds of the proceedings and the name of the accuser, if there be such, shall be made known to him.

II. His preliminary examination shall be made within forty-eight hours, to be counted from the time he is placed at the disposition of the judge.

III. He shall be confronted with the witnesses who testify against him.

IV. He shall be furnished with all information of record, which he may need for his defense.

V. He shall be heard in his defense, either personally or by counsel, or by both, as he may desire. In case he shall have no one to defend him, a list of public counsel shall be shown to him, in order that he may choose one or more to act as his counsel.

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Art. 20. In every criminal trial the accused shall enjoy the following guarantees:

I. *He shall be set at liberty on demand and upon giving a bond up to ten thousand pesos, according to his status and the gravity of the offense charged, provided, however, that the said offense shall not be punishable with more than five years' imprisonment; he shall be set at liberty without any further requisite than the placing of the stipulated sum at the disposal of the proper authorities or the giving of an adequate mortgage bond or personal security.*<sup>1</sup>

II. *He may not be forced to be a witness against himself; wherefore denial of access or other means looking towards this end is hereby strictly prohibited.*

III. *He shall be publicly notified within forty-eight hours after being turned over to the judicial authorities of the name of his accuser and of the nature of and cause for the accusation, so that he may be familiar with the offense with which he is charged, may reply thereto and make his preliminary statement.*

IV. *He shall be confronted with the witnesses against him, who shall testify in his presence if they are to be found in the place where the trial is being held, so that he may cross-examine them in his defense.*

V. *All witnesses which he shall offer shall be heard in his defense, as well as all evidence received, for which he shall be given such time as the law may prescribe;*

<sup>1</sup> See note to Art. 18 of 1857.

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he shall furthermore be assisted in securing the presence of any person or persons whose testimony he may request, provided they are to be found at the place of trial.

VI. He shall be entitled to a public trial by a judge or jury of citizens who can read and write and are also citizens of the place and district where the offense shall have been committed, provided the penalty for such offense be greater than one year's imprisonment. The accused shall always be entitled to trial by jury for all offenses committed by means of the press against the public peace or against the safety, domestic or foreign, of the Republic.

VII. He shall be furnished with all information of record needed for his defense.

VIII. He shall be tried within four months, if charged with an offense the maximum penalty for which does not exceed two years' imprisonment, and within one year, if the maximum penalty be greater.

IX. He shall be heard in his own defense, either personally or by counsel, or by both, as he may desire. In case he shall have no one to defend him, a list of official counsel shall be submitted to him in order that he may choose one or more to act in his defense. If the accused shall not desire to name any counsel for his defense, after having been called upon to do so at the time of his preliminary examination, the court shall appoint counsel to defend him. The accused may name his counsel immediately on arrest and shall

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*be entitled to have him present at every stage of the trial; but he shall be bound to make him appear as often as required by the court.*

X. In no event may imprisonment or detention be extended through failure to pay counsel fees or through any other pecuniary charge, by virtue of any civil liability or other similar cause.<sup>8</sup> *Nor shall detention be extended beyond the time set by law as the maximum for the offense charged.*

*The period of detention shall be reckoned as a part of the final sentence.*

Art. 21. The imposition of penalties properly so called pertains exclusively to the judiciary. The political or executive authorities shall only have power to impose fines and imprisonment, as disciplinary measures, the former of no more than five hundred dollars, and the latter for no more than one month, in the cases and in the manner which the law shall expressly determine.

Art. 21. The imposition of all penalties is an exclusive attribute of the judiciary. *The prosecution of offenses belongs to the public prosecutor and to the judicial police, who shall be under the immediate command and authority of the public prosecutor. The punishment of violations of municipal and police regulations belongs to the administrative authorities, and shall consist only of a fine or of imprisonment not exceeding thirty-six hours. Should the offender fail to pay the fine this shall be substituted by the corresponding period of arrest, which shall in no case exceed fifteen days.*

*Should the offender be a workman or unskilled laborer, he shall not be punished with a fine greater than the amount of his weekly wage or salary.*

Art. 22. Punishments by mutilation and infamy, by branding, flogging, beating with sticks,

Art. 22. Punishments by mutilation and infamy, by branding,

<sup>8</sup> See note to Art. 18 of 1857.

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torture of whatever kind, excessive fines, confiscation of property, or any other penalties, unusual or working corruption of the blood, shall be forever prohibited.

Art. 23. Capital punishment is abolished for political offenses; in the case of offenses other than political it shall only be imposed for high treason committed during a foreign war; parricide, murder with malice aforethought, arson, highway robbery, piracy, and grave military offenses. [As amended, May 14, 1901.]

Art. 24. No criminal case shall have more than three instances. No person, whether acquitted or convicted, shall be

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flogging, beating with sticks, torture of any kind, excessive fines, confiscation of property and any other penalties, unusual or working corruption of the blood, are prohibited.

*Attachment proceedings of the whole or part of the property of any person made under judicial authority to cover any civil liability arising out of the commission of any offense, or by reason of the imposition of any tax or fine, shall not be deemed a confiscation of property.*

Capital punishment is likewise forbidden for all political offenses; in the case of offenses other than political it shall only be imposed for high treason committed during a foreign war, parricide, murder with malice aforethought, arson, abduction, highway robbery, piracy, and grave military offenses.

Art. 23. [Identical]

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tried again for the same offense. The practice of discharging in one instance is abolished.

Art. 25. Sealed correspondence sent through the mails shall be free from search. The violation of this guarantee is an offense which the law will punish severely.

Art. 26. In time of peace no soldier may demand quarters, supplies, or other real or personal service, without the consent of the owner. In time of war he may do so, but only in the manner prescribed by law.

Art. 27. Private property shall not be taken without the consent of the owner, except for reasons of public utility, indemnification having been made. The law shall determine the authority to make the expropriation and the conditions on which it shall be carried out.

No religious corporations and institutions of whatever char-

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Art. 24. *Every one is free to embrace the religion of his choice and to practice all ceremonies, devotions or observances of his respective creed, either in places of public worship or at home, provided they do not constitute an offense punishable by law.*

*Every religious act of public worship shall be performed strictly within the places of public worship, which shall be at all times under governmental supervision.\**

Art. 25. Sealed correspondence sent through the mails shall be free from search, and its violation shall be punishable by law.

Art. 26. No member of the army shall in time of peace be quartered in private dwellings, without the consent of the owner; nor shall he demand any other exaction. In time of war the military may demand lodging, equipment, provisions and other assistance, in the manner provided by the corresponding martial law.

Art. 27. *The ownership of lands and waters comprised within the limits of the national territory is vested originally in the Nation, which has had, and has, the right to transmit title thereof to private persons, thereby constituting private property.*

\* Drawn largely from "Leyes de Reforma" of December 14, 1874. See note to Art. 130, p. 116.

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acter, denomination, duration or object, nor civil corporations, when under the patronage, direction or administration of the former, or of ministers of any creed shall have legal capacity to acquire title to, or administer, real property, other than the buildings immediately and directly destined to the services or purposes of the said corporations and institutions. Nor shall they have legal capacity to acquire or administer loans made on such real property.

Civil corporations and institutions not comprised within the above provision, may acquire and administer, in addition to the buildings mentioned, real property and loans made on such real property required for their maintenance and purposes, subject to the requisites and limitations to be established by the Federal law to be enacted by the Congress on the subject. [As amended, May 14, 1901.]

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Private property shall not be *expropriated* except for reasons of public utility and *by means of indemnification*.

*The Nation shall have at all times the right to impose on private property such limitations as the public interest may demand as well as the right to regulate the development of natural resources, which are susceptible of appropriation, in order to conserve them and equitably to distribute the public wealth. For this purpose necessary measures shall be taken to divide large landed estates; to develop small landed holdings; to establish new centers of rural population with such lands and waters as may be indispensable to them; to encourage agriculture and to prevent the destruction of natural resources, and to protect property from damage detrimental to society. Settlements, hamlets situated on private property and communes which lack lands or water or do not possess them in sufficient quantities for their needs shall have the right to be provided with them from the adjoining properties, always having due regard for small landed holdings. Wherefore, all grants of lands made up to the present time under the decree of January 6, 1915, are confirmed.*

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*Private property acquired for the said purposes shall be considered as taken for public utility.*

*In the Nation is vested direct ownership of all minerals or substances which in veins, layers, masses, or beds constitute deposits whose nature is different from the components of the land, such as minerals from which metals and metaloids used for industrial purposes are extracted; beds of precious stones, rock salt and salt lakes formed directly by marine waters, products derived from the decomposition of rocks, when their exploitation requires underground work; phosphates which may be used for fertilizers; solid mineral fuels; petroleum and all hydrocarbons—solid, liquid or gaseous.*

*In the Nation is likewise vested the ownership of the waters of territorial seas to the extent and in the terms fixed by the law of nations; those of lakes and inlets of bays; those of interior lakes of natural formation which are directly connected with flowing waters; those of principal rivers or tributaries from the points at which there is a permanent current of water in their beds to their mouths, whether they flow to the sea or cross two or more States; those of intermittent streams which traverse two or more States in their main body; the waters of rivers, streams, or ravines, when they bound the national territory or that of the States; waters extracted from mines; and the beds and banks of the lakes and streams hereinbefore mentioned, to the extent fixed by law. Any other stream of water not comprised*

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*within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the development of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the States.*

*In the cases to which the two foregoing paragraphs refer, the ownership of the Nation is inalienable and may not be lost by prescription; concessions shall be granted by the Federal Government to private parties or civil or commercial corporations organized under the laws of Mexico, only on condition that said resources be regularly developed, and on the further condition that the legal provisions be observed.*

*Legal capacity to acquire ownership of lands and waters of the nation shall be governed by the following provisions:*

- 1. Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters and their appurtenances, or to obtain concessions to develop mines, waters or mineral fuels in the Republic of Mexico. The Nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their Governments in respect to the same, under penalty, in case of breach, of forfeiture to the Nation of property so acquired. Within a zone of*



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100 kilometers from the frontiers, and of 50 kilometers from the sea coast, no foreigner shall under any conditions acquire direct ownership of lands and waters.

II. The religious institutions known as churches, irrespective of creed, shall in no case have legal capacity to acquire, hold or administer real property or loans made on such real property<sup>10</sup>; all such real property or loans as may be at present held by the said religious institutions, either on their own behalf or through third parties, shall vest in the Nation, and any one shall have the right to denounce property so held. Presumptive proof shall be sufficient to declare the denunciation well-founded. Places of public worship are the property of the Nation, as represented by the Federal Government, which shall determine which of them may continue to be devoted to their present purposes. Episcopal residences, rectories, seminaries, orphan asylums or collegiate establishments of religious institutions, convents or any other buildings built or designed for the administration, propaganda, or teaching of the tenets of any religious creed shall forthwith vest, as of full right, directly in the Nation, to be used exclusively for the public services of the Federation or of the States, within their respective jurisdictions. All places of public worship which shall later be erected shall be the property of the Nation.

III. Public and private charitable institutions for the sick and needy, for scientific research, or for the diffusion of knowledge, mutual

<sup>10</sup> Compare second paragraph of Art. 27 of 1857.

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aid societies or organizations formed for any other lawful purpose shall in no case acquire, hold or administer loans made on real property, unless the mortgage terms do not exceed ten years. In no case shall institutions of this character be under the patronage, direction, administration, charge or supervision of religious corporations or institutions, nor of ministers of any religious creed or of their dependents, even though either the former or the latter shall not be in active service.<sup>11</sup>

IV. Commercial stock companies shall not acquire, hold, or administer rural properties. Companies of this nature which may be organized to develop any manufacturing, mining, petroleum or other industry, excepting only agricultural industries, may acquire, hold or administer lands only in an area absolutely necessary for their establishments or adequate to serve the purposes indicated, which the Executive of the Union or of the respective State in each case shall determine.

V. Banks duly organized under the laws governing institutions of credit may make mortgage loans on rural and urban property in accordance with the provisions of the said laws, but they may not own nor administer more real property than that absolutely necessary for their direct purposes; and they may furthermore hold temporarily for the brief term fixed by law such real property

<sup>11</sup> The second paragraph of the 1857 Constitution and Clauses II and III of the 1917 text are largely drawn from the "Leyes de Reforma." See note to Art. 130, p. 116.

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as may be judicially adjudicated to them in execution proceedings.

VI. Properties held in common by co-owners, hamlets situated on private property, pueblos, tribal congregations and other settlements which, as a matter of fact or law, conserve their communal character, shall have legal capacity to enjoy in common the waters, woods and lands belonging to them, or which may have been or shall be restored to them according to the law of January 6, 1916, until such time as the manner of making the division of the lands shall be determined by law.

VII. Excepting the corporations to which Clauses III, IV, V and VI hereof refer, no other civil corporation may hold or administer on its own behalf real estate or mortgage loans derived therefrom, with the single exception of buildings designed directly and immediately for the purposes of the institution. The States, the Federal District and the Territories, as well as the municipalities throughout the Republic, shall enjoy full legal capacity to acquire and hold all real estate necessary for public services.

The Federal and State laws shall determine within their respective jurisdictions those cases in which the occupation of private property shall be considered of public utility; and in accordance with the said laws the administrative authorities shall make the corresponding declaration. The amount fixed as compensation for the expropriated property shall be based on the sum at which the said

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property shall be valued for fiscal purposes in the catastral or revenue offices, whether this value be that manifested by the owner or merely impliedly accepted by reason of the payment of his taxes on such a basis, to which there shall be added ten per cent. The increased value which the property in question may have acquired through improvements made subsequent to the date of the fixing of the fiscal value shall be the only matter subject to expert opinion and to judicial determination. The same procedure shall be observed in respect to objects whose value is not recorded in the revenue offices.

All proceedings, findings, decisions and all operations of demarcation, concession, composition, judgment, compromise, alienation, or auction which may have deprived properties held in common by co-owners, hamlets situated on private property, settlements, congregations, tribes and other settlement organizations still existing since the law of June 25, 1856, of the whole or a part of their lands, woods and waters, are declared null and void; all findings, resolutions and operations which may subsequently take place and produce the same effects shall likewise be null and void. Consequently all lands, forests and waters of which the above-mentioned settlements may have been deprived shall be restored to them according to the decree of January 6, 1915, which shall remain in force as a constitutional law. In case the adjudication of lands, by way of restitution,

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be not legal in the terms of the said decree, which adjudication have been requested by any of the above entities, those lands shall nevertheless be given to them by way of grant, and they shall in no event fail to receive such as they may need. Only such lands, title to which may have been acquired in the divisions made by virtue of the said law of June 25, 1856, or such as may be held in undisputed ownership for more than ten years are excepted from the provision of nullity, provided their area does not exceed fifty hectares.<sup>11</sup> Any excess over this area shall be returned to the commune and the owner shall be indemnified. All laws of restitution enacted by virtue of this provision shall be immediately carried into effect by the administrative authorities. Only members of the commune shall have the right to the lands destined to be divided, and the rights to these lands shall be inalienable so long as they remain undivided; the same provision shall govern the right of ownership after the division has been made. The exercise of the rights pertaining to the Nation by virtue of this article shall follow judicial process; but as a part of this process and by order of the proper tribunals, which order shall be issued within the maximum period of one month, the administrative authorities shall proceed without delay to the occupation, administration, auction, or sale of the lands and waters in question, together with all their appurtenances, and in no case may the acts of the said authorities be set

<sup>11</sup> 1 hectare=2.47 acres.

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aside until final sentence is handed down.

During the next constitutional term, the Congress and the State Legislatures shall enact laws, within their respective jurisdictions, for the purpose of carrying out the division of large landed estates, subject to the following conditions:

(a) In each State and Territory there shall be fixed the maximum area of land which any one individual or legally organized corporation may own.

(b) The excess of the area thus fixed shall be subdivided by the owner within the period set by the laws of the respective locality; and these subdivisions shall be offered for sale on such conditions as the respective governments shall approve, in accordance with the said laws.

(c) If the owner shall refuse to make the subdivision, this shall be carried out by the local government, by means of expropriation proceedings.

(d) The value of the subdivisions shall be paid in annual amounts sufficient to amortize the principal and interest within a period of not less than twenty years, during which the person acquiring them may not alienate them. The rate of interest shall not exceed five per cent per annum.

(e) The owner shall be bound to receive bonds of a special issue to guarantee the payment of the property expropriated. With this end in view, the Congress shall issue a law authorizing the States to issue bonds to meet their agrarian obligations.

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(f) *The local laws shall govern the extent of the family patrimony, and determine what property shall constitute the same on the basis of its inalienability; it shall not be subject to attachment nor to any charge whatever.*

*All contracts and concessions made by former governments from and after the year 1876 which shall have resulted in the monopoly of lands, waters and natural resources of the Nation by a single individual or corporation, are declared subject to revision, and the Executive is authorized to declare those null and void which seriously prejudice the public interest.*

Art. 28. There shall be no private nor governmental monopolies of any kind whatsoever, nor any prohibitions even under cover of protection to industry, excepting only those relating to the coinage of money, the postal service, and the privileges which, for a limited time, the law may concede to inventors or improvers of inventions.

Art. 28. There shall be no private nor governmental monopolies of any kind whatsoever in the United States of Mexico; *nor exemption from taxation; nor any prohibition even under cover of protection to industry, excepting only those relating to the coinage of money, to the postal, telegraphic, and radio-telegraphic services, to the issuance of bills by a single banking institution to be controlled by the Federal Government, and to the privileges which for a limited period the law may concede to authors and artists for the reproduction of their work; and lastly, to those granted inventors or improvers of inventions for the exclusive use of their inventions.*

*The law will accordingly severely punish and the authorities diligently prosecute any accumulating or cornering by one or more persons of necessities for the purpose of bringing about a rise in*

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price; any act or measure which shall stifle or endeavor to stifle free competition in any production, industry, trade or public service; any agreement or combination of any kind entered into by producers, manufacturers, merchants, common carriers or other public or quasi-public service, to stifle competition and to compel the consumer to pay exorbitant prices; and in general whatever constitutes an unfair and exclusive advantage in favor of one or more specified person or persons to the detriment of the public in general or of any special class of society.

Associations of labor organized to protect their own interests shall not be deemed a monopoly. Nor shall coöperative associations or unions of producers be deemed monopolies when, in defense of their own interests or of the general public, they sell directly in foreign markets national or industrial products which are the principal source of wealth of the region in which they are produced, provided they be not necessities, and provided further that such associations be under the supervision or protection of the Federal Government or of that of the States, and provided further that authorization be in each case obtained from the respective legislative bodies. These legislative bodies may, either on their own initiative or on the recommendation of the executive, revoke, whenever the public interest shall so demand, the authorization granted for the establishment of the associations in question.



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Art. 29. In cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger, the President of the Republic, and no one else, shall have the power to suspend, with the advice of the council of ministers and with the approval of the Congress, and, in the recess thereof, of the Permanent Committee, the guarantees granted by this Constitution excepting those ensuring the life of man; but such suspension shall in no case be confined in its effects to a particular individual, but shall be made by means of a general decree, and only for a limited time.

If the suspension occur while the Congress is in session, this body shall grant such powers as in its judgment the executive may need to meet the situation; if the suspension occur while the Congress is in recess, the Permanent Committee shall forthwith convoke the Congress for the granting of such powers.

## SECTION II

### Of Mexicans

Art. 30. Mexicans are:

I. All persons born, within or without the Republic, of Mexican parents.

II. Aliens naturalized in conformity with the laws of the Federation.

III. Aliens who acquire real estate in the Republic, or have Mexican children, if they do not

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Art. 29. In cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger or conflict, the President of the Republic of Mexico, and no one else, with the concurrence of the council of ministers, and with the approval of the Congress, or if the latter shall be in recess, of the Permanent Committee, shall have power to suspend throughout the whole Republic or in any portion thereof, *such guarantees as shall be a hindrance in meeting the situation promptly and readily*; but such suspension shall in no case be confined to a particular individual, but shall be made by means of a general decree and only for a limited period. If the suspension occur while the Congress is in session, this body shall grant such powers as in its judgment the executive may need to meet the situation; if the suspension occur while the Congress is in recess, the Congress shall be convoked forthwith for the granting of such powers.

## CHAPTER II

### Of Mexicans

Art. 30.<sup>12</sup> *A Mexican shall be such either by birth or by naturalization.*

I. *Mexicans by birth are those born of Mexican parents, within or without the Republic, provided*

<sup>12</sup> Several of the provisions of this article follow the Naturalization Law of May 28, 1886, while others are a radical departure in the juridical theories hitherto accepted in Mexico.

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declare their intention to retain their nationality.

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*in the latter case the parents be also Mexicans by birth. Persons born within the Republic of foreign parentage shall likewise be considered Mexicans by birth, who within one year after they come of age shall declare to the Department of Foreign Affairs that they elect Mexican citizenship, and who shall furthermore prove to the said Department that they have resided within the country during the six years immediately prior to the said declaration.*

*II. Mexicans by naturalisation are:*

*(a) The children of foreign parentage born in the country, who shall elect Mexican citizenship in the manner prescribed in the foregoing clause, and in whom the residence qualification required in the said section does not concur.*

*(b) Those persons who shall have resided in the country for five consecutive years, have an honest means of livelihood and shall have obtained naturalization from the said Department of Foreign Affairs.*

*(c) Those of mixed Indian and Latin descent who may have established residence in the Republic, and shall have manifested their intention to acquire Mexican citizenship.*

*In the cases stipulated in these sections, the law shall determine the manner of proving the requisites therein demanded.*

Art. 31. It shall be the duty of every Mexican:

I. To defend the independence, the territory, the honor, the rights and interests of his country.

Art. 31. It shall be the duty of every Mexican:

I. To compel the attendance at either private or public schools of their children or wards, when

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II. To serve in the army or the national guard pursuant to the respective organic laws. [*As amended, June 10, 1898.*]

III. To contribute in the proportional and equitable manner provided by law, toward the public expenses of the Federation, the State and the municipality in which he resides.

Art. 32. Mexicans shall be preferred under equal circumstances to foreigners for all public employments, offices, or commissions, when citizenship is not indispensable. Laws shall be enacted to improve the condition of industrious Mexicans, by rewarding those who distinguish themselves in any science or art, to foster labor, and to found colleges and manual training schools.

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*under fifteen years of age, in order that they may receive primary instruction and military training for such periods as the law of public instruction in each State shall determine.*

II. *To attend on such days and at such hours as the town council shall in each case prescribe, to receive such civic instruction and military training as shall fit them to exercise their civic rights, shall make them skillful in the handling of arms and familiar with military discipline.*

III. *To enlist and serve in the national guard, pursuant to the respective organic law for the purpose of preserving and defending the independence, territory, honor, rights and interests of the country, as well as domestic peace and order.*

IV. To contribute in the proportional and equitable manner provided by law toward the public expenses of the Federation, the State and the municipality in which he resides.

Art. 32. Mexicans shall be preferred under equal circumstances to foreigners *for all kinds of concessions* and for all public employments, offices or commissions, when citizenship is not indispensable. *No foreigner shall serve in the army nor in the police corps nor in any other department of public safety during times of peace.*

*Only Mexicans by birth may belong to the national navy, or fill any office or commission therein. The same requisite shall be required for captains, pilots, mas-*

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*ters and chief engineers of Mexican merchant ships, as well as for two-thirds of the members of the crew.*

## SECTION III.

*Of Aliens*

Art. 33. Aliens are those who do not possess the qualifications prescribed by Article 30. They shall be entitled to the guarantees granted by Section I, Title I, of the present Constitution, except that in all cases the Government has the right to expel undesirable foreigners. They are under obligation to contribute to the public expenses as the law may provide, and to obey and respect the institutions, laws, and authorities of the country, subjecting themselves to the decisions and sentences of the tribunals, and shall not be entitled to seek other redress than that which the laws concede to Mexicans.

## SECTION IV

*Of Mexican Citizens*

Art. 34. Mexican citizenship shall be enjoyed only by those Mexicans who have the following qualifications:

I. Are over 21 years of age, if unmarried, and over 18, if married.

II. Have an honest means of livelihood.

Art. 35. The prerogatives of citizens are:

I. To vote at popular elections.

II. To be eligible for any elec-

## CHAPTER III

*Of Aliens*

Art. 33. Aliens are those who do not possess the qualifications prescribed by Article 30. They shall be entitled to the guarantees granted by Chapter I, Title I, of the present Constitution; but the *Executive* shall have the *exclusive* right to expel from the Republic forthwith, and without judicial process, *any foreigner whose presence he may deem inexpedient.*

*No foreigner shall meddle in any way whatsoever in the political affairs of the country.*

## CHAPTER IV

*Of Mexican Citizens*

Art. 34. [Identical]

Art. 35. [Identical]

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tive office and be qualified for any other office or commission, provided they have the other qualifications required by law.

III. To assemble for the purpose of discussing the political affairs of the country.

IV. To serve in the army or national guard for the defense of the Republic and its institutions, as by law determined. [*As amended June 10, 1898.*]

V. To exercise the right of petition in any matter whatever.

Art. 36. It shall be the duty of every Mexican citizen:

I. To register in the polls of the municipality in which he lives, setting forth the property which he owns, if any, or the industry, profession, or labor by which he subsists.

II. To enlist in the national guard.

III. To vote at popular elections in the district to which he belongs.

IV. To fill the elective federal offices to which he may be chosen, and which in no case shall be gratuitous.

Art. 37. Citizenship shall be lost:

I. By naturalization in a foreign country.

II. By officially serving the government of another country or accepting its decorations, titles, or employment without

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Art. 36. It shall be the duty of every Mexican citizen:

I. To register in the polls of the municipality, setting forth any property he may own and his professional or industrial pursuit, or occupation; *and also to register in the electoral registration lists, as by law determined.*

II. To enlist in the national guard.

III. To vote at popular elections in the electoral district to which he belongs.

IV. To fill the elective Federal or State offices to which he may be chosen, which service shall in no case be gratuitous.

V. *To serve on the town council of the municipality wherein he resides and to perform all electoral and jury service.*

Art. 37. Citizenship shall be lost:

I. By naturalization in a foreign country.

II. By officially serving the government of another country, or accepting its decorations, titles or employment without

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previous permission of the Federal Congress, excepting literary, scientific, and humanitarian titles, which may be accepted freely.

Art. 38. The law shall determine the cases and the form in which the rights of citizenship may be lost or suspended, and the manner in which they may be regained.

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previous permission of the Federal Congress, excepting literary, scientific and humanitarian titles which may be accepted freely.

III. *By compromising themselves in any way before ministers of any religious creed or before any other person not to observe the present Constitution, or the laws arising thereunder.*

Art. 38. *The rights or prerogatives of citizenship shall be suspended for the following reasons:*

I. *Through failure to comply, without sufficient cause, with any of the obligations imposed by Article 36. This suspension shall last for one year and shall be in addition to any other penalties prescribed by law for the same offense.*

II. *Through being subjected to criminal prosecution for an offense punishable with imprisonment, such suspension to be reckoned from the date of the formal order of commitment.*

III. *Throughout the term of imprisonment.*

IV. *Through vagrancy or habitual drunkenness, declared in the manner provided by law.*

V. *Through being a fugitive from justice, the suspension to be reckoned from the date of the order of arrest until the prescription of the criminal action.*

VI. *Through any final sentence which shall decree as a penalty such suspension.*

The law shall determine the cases in which civic rights may be lost or suspended and the manner in which they may be regained.

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TITLE II

TITLE II

SECTION I

CHAPTER I

*Of the National Sovereignty and  
Form of Government*

*Of the National Sovereignty and  
Form of Government*

Art. 39. The national sovereignty is vested essentially and originally in the people. All public power emanates from the people, and is instituted for their benefit. The people have at all times the inalienable right to alter or modify the form of their government.

Art. 39. [Identical]

Art. 40. It is the will of the Mexican people to constitute themselves into a democratic, federal, representative republic, consisting of States, free and sovereign in all that concerns their internal affairs, but united in a federation according to the principles of this fundamental law.

Art. 40. [Identical]

Art. 41. The people exercise their sovereignty through the federal powers in the matters belonging to the Union, and through those of the States in the matters relating to the internal administration of the latter. This power shall be exercised in the manner respectively established by the Constitutions, both Federal and State. The constitutions of the States shall in no case contravene the stipulations of the Federal constitution.

Art. 41. [Identical]

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## SECTION II

*Of the Integral Parts of the Federation and the National Territory*

Art. 42. The national territory comprises the integral parts of the Federation and the adjacent islands in both oceans.

Art. 43. The integral parts of the Federation are: the States of Aguascalientes, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, Nuevo León, Oaxaca, Puebla, Querétaro, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Valle de México, Vera Cruz, Yucatán, Zacatecas, the Territory of Lower California, the Territory of Tepic, formed from the seventh canton of Jalisco, and the Territory of Quintana Roo. The Territory of Quintana Roo shall be formed by the eastern portion of the Peninsula of Yucatán; it shall be bounded by a line which, drawn from the northern coast of the Gulf of Mexico, follows the arc of the meridian 87° 32' (Longitude West of Greenwich) to its intersection with parallel 21°, and thence till it meets the parallel passing through the Southern Tower of Chemax, twenty kilometers to the east of this town; and reaching the vertex of the angle formed by the boundaries between the States of Yucatán and Campeche, near Put, goes southward to the parallel dividing the Republics of Mexico and Guatemala. [As amended November 24, 1902.]

Art. 44. The States of Aguascalientes, Chiapas, Chihuahua, Durango, Guerrero, México, Puebla, Querétaro, Sinaloa, Sonora, Tamaulipas, and the Territory of Lower California shall preserve the limits which they now have.

## CHAPTER II

*Of the Integral Parts of the Federation and the National Territory*

Art. 42. The national territory comprises the integral parts of the Federation and the adjacent islands in both oceans. *It likewise comprises the Island of Guadalupe, those of Revillagigedo, and that of "La Pasión," situated in the Pacific Ocean.*

Art. 43. The integral parts of the Federation are: The States of Aguascalientes, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, *Nayarit*<sup>13</sup>, Nuevo León, Oaxaca, Puebla, Querétaro, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Vera Cruz, Yucatán, Zacatecas, the Federal District, the Territory of Lower California, and the Territory of Quintana Roo.

Art. 44. The Federal District shall embrace its present territory; in the event of the removal of the Federal Powers to some other place it shall be created into the State of the Valley of Mexico, with such boundaries and area as the Federal Congress shall assign to it.<sup>14</sup>

<sup>13</sup> See Art. 47 of 1917.

<sup>14</sup> Substantially identical with Art. 46 of 1857.



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Art. 45. The States of Colima and Tlaxcala shall preserve in their new character of States the limits which they had as Territories of the Federation.

Art. 46. The State of the Valley of Mexico shall consist of the territory constituting at present the Federal District, but it shall not be a State until after the Supreme Federal Powers move to some other place.

Art. 47. The State of Nuevo León and Coahuila shall comprise the territory formerly belonging to the two separate States of which it now consists, except a part of the Bonanza Hacienda, which shall be added to Zacatecas, exactly as it was before its annexation to Coahuila.

Art. 48. The States of Guanajuato, Jalisco, Michoacán, Oaxaca, San Luis Potosí, Tabasco, Vera Cruz, Yucatán, and Zacatecas shall recover the extent and limits which they had on the thirty-first of December, eighteen hundred and fifty-two, with the alterations established in the following article.

Art. 49. The town of Contepéc, now belonging to Guanajuato, shall be annexed to Michoacán. The municipality of Ahualulco, belonging to Zacatecas, shall be annexed to San Luis Potosí. The municipalities of Ojo Caliente and San Francisco de los Adames, belonging to San Luis, as well as the towns of Nueva Tlaxcala and

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Art. 45. The States and Territories of the Federation shall keep their present boundaries and areas, provided no boundary question shall exist between them.

Art. 46. The States having pending boundary questions shall arrange or settle them as provided by this Constitution.

Art. 47. *The State of Nayarit shall have the territorial area and boundaries at present comprising the Territory of Tepic.*

Art. 48. *The islands in both oceans embraced within the national territory shall depend directly on the Federal Government, excepting those over which the States have up to the present time exercised jurisdiction.*

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San Andrés del Teul, belonging to Jalisco, shall be annexed to Zacatecas. The department of Tuxpam shall continue to form a part of Vera Cruz. The canton of Huimanguillo, belonging to Vera Cruz, shall be annexed to Tabasco.

## TITLE III

*Of the Division of Powers*

Art. 50. The supreme power of the Federation is divided for its exercise into legislative, executive, and judicial. Two or more of these powers shall never be united in one person or corporation, nor shall the legislative power be vested in one individual.

## SECTION I

*Of the Legislative Power*

Art. 51. The legislative power of the United States of Mexico is vested in a general Congress which shall consist of a House of Representatives and a Senate. [As amended November 13, 1874.]

## PARAGRAPH I

*Of the Election and Installation of the Congress*

Art. 52. The House of Representatives shall consist of representatives of the Nation, all of whom shall be elected every two years by the citizens of Mexico. [As amended November 13, 1874.]

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## TITLE III

## CHAPTER I

*Of the Division of Powers*

Art. 49. The supreme power of the Federation is divided for its exercise into legislative, executive and judicial.

Two or more of these powers shall never be united in one person or corporation, nor shall the legislative power be vested in one individual *except in the case of extraordinary powers granted to the executive, in accordance with the provisions of Article 29.*

## CHAPTER II

*Of the Legislative Power*

Art. 50. [Identical]

## SECTION I

*Of the Election and Installation of the Congress*

Art. 51. [Identical]

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Art. 53. One representative shall be chosen for each 60,000 inhabitants or for any fraction thereof exceeding 20,000, on the basis of the general census of the Federal District and of each State and Territory. Any State or Territory in which the population shall be less than that fixed by this article shall, nevertheless, elect one representative. [*As amended December 18, 1901.*]

Art. 54. There shall be elected an alternate for each representative.

Art. 55. The election of representatives shall be direct, in accordance with the provisions of the electoral law. [*As amended April 26, 1912.*]

Art. 56. Representatives shall have the following qualifications: To be Mexican citizens in the enjoyment of their rights; to be twenty-five years of age on the day of the opening of the session; to be domiciled in the State or Territory in which the election is held, and not to belong to the ecclesiastical state. The domicile shall not be lost through absence in the discharge of any elective office.

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Art. 52. [Identical]

Art. 53. [Identical]

Art. 54. [Identical]

Art. 55. Representatives shall have the following qualifications:

I. They shall be Mexican citizens *by birth*<sup>18</sup> and in the enjoyment of their rights.

II. They shall be over twenty-five years of age *on the day of election*.

III. They shall be *natives* of the States or Territories respectively electing them, or domiciled and *actually resident therein for six months immediately prior to the election*. The domicile shall not be lost through absence in the discharge of any elective office.

IV. *They shall not be in active service in the Federal army, not have any command in the police corps or rural constabulary in the districts where the elections respectively take place, for at least ninety days immediately prior to the election.*

<sup>18</sup> See Art. 30 of 1917.

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Art. 57. The offices of senator and representative are incompatible with any other office or commission of the Federal Government for which any emolument is received. [*As amended November 13, 1874.*]

Art. 58. Representatives and senators are disqualified, from the day of their election until the day on which their term expires, from accepting from the Federal executive without previous permission of the respective House any salaried office.

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V. They shall not hold the office of secretary nor assistant secretary of any executive department nor of justice of the supreme court, unless they shall have resigned therefrom ninety days immediately prior to the election.

No State Governor, Secretary of State of the several States, nor State Judge shall be eligible in the Districts within their several jurisdictions, unless they shall have resigned from their office ninety days immediately prior to the day of election.

VI. They shall not be ministers of any religious creed.

Art. 56. The Senate shall consist of two Senators from each State and two from the Federal District, chosen in direct election.

Each State Legislature shall certify to the election of the candidate who shall have obtained a majority of the total number of votes cast.

[Identical with first part of Art. 58 A of 1857.]

Art. 57. There shall be elected an alternate for each senator.

[Identical with closing sentence of Art. 58 A of 1857.]

Art. 58. Each senator shall serve four years. The senate shall be renewed by half every two years.

[Identical with opening sentence of Art. 58 B of 1857.]

[Identical with Art. 62 of 1917, excepting italicized portion.]

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The same provision is applicable to alternates when in active service.

A. The Senate shall consist of two Senators for each State and two for the Federal District. The election of senators shall be direct in the first degree. Each State legislature shall declare the candidate elected who shall have obtained a majority of the votes cast or it shall choose, in the manner prescribed by the electoral law, from among those obtaining a plurality. There shall be elected an alternate for each Senator.

B. The Senate shall be renewed by half every two years. Senators occupying the second place in the representation of each State, shall vacate their seats at the end of the first two years. After the second year the withdrawal shall be according to seniority.

C. The qualifications necessary to be a senator shall be the same as those necessary to be a representative, except as to the age, which in the case of a senator who shall be at least thirty years of age on the day of the opening of the session. [*As amended November 13, 1874.*]

Art. 59. Representatives and senators are inviolable for opinions expressed by them in the discharge of their duties, and shall never be called to account for them. [*As amended November 13, 1874.*]

Art. 60. Each House shall be the judge of the election of its

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[Compare Art. 58 of 1917.]

Art. 59. The qualifications necessary to be a senator shall be the same as those necessary to be a representative, excepting that of age, which shall be over *thirty-five on the day of election.*

[Identical with Art. 61 of 1917.]

Art. 60. Each House shall be the judge of the election of its

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members, and shall decide all questions arising therefrom.  
[As amended November 13, 1874.]

Art. 61. The Houses shall not open their sessions nor exercise their functions without a quorum, in the Senate of two-thirds, and in the House of Representatives of a majority of the total of its members; but the members present of either House shall meet on the appointed day and compel through the proper penalties the attendance of the

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members and shall decide all questions arising therefrom.

*Its decisions shall be final.*

Art. 61. Representatives and Senators are inviolable for opinions expressed by them in the discharge of their duties, and shall never be called to account for them.

[Identical with Art. 59 of 1857.]

Art. 62. Representatives and senators shall be disqualified during the terms for which they have been elected from holding any Federal or State commission or office for which any emolument is received without previous permission of the respective House; in the event of their accepting such commission or office they shall forthwith lose their representative character for such time as they shall hold such appointive office. The same provision shall apply to alternate representatives and senators, when in active service. *The violation of this provision shall be punished by forfeiture of the office of representative or senator.*

[Identical with Art. 58 of 1857 excepting italicized portion.]

Art. 63. The Houses shall not open their sessions nor exercise their functions without a quorum, in the Senate of two-thirds, and in the House of Representatives of a majority of the total membership; but the members present of either House shall meet on the day appointed by law and compel the attendance of the absentees *within the next*

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absentees. [As amended November 13, 1874.]

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thirty days, and they shall warn them that failure to comply with this provision shall be taken to be a refusal of office, and the corresponding alternates shall be summoned forthwith; the latter shall have a similar period within which to present themselves, and on their failure to do so the seats shall be declared vacant and new elections called.

Representatives or Senators who shall be absent during ten consecutive days without proper cause or without leave of the President of the respective House, notice of which shall be duly communicated to the House, shall be understood as waiving their right to attend until the next session, and their alternates shall be summoned without delay.

If there shall be no quorum to organize either of the Houses or to continue their labors, once organized, the alternates shall be ordered to present themselves as soon as possible for the purpose of taking office until the expiration of the thirty days hereinbefore mentioned.

Art. 64. No representative or senator who shall fail to attend any daily session without proper cause or without previous permission of the respective House, shall be entitled to the compensation corresponding to the day on which he shall have been absent.

Art. 62. The Congress shall hold two ordinary sessions each year: the first shall begin on the sixteenth of September and end on the fifteenth of December;

Art. 65. The Congress shall meet on the first day of September of each year in regular session for the consideration of the following matters:

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but this period may be extended for thirty working days. The second shall begin on the first of April and end on the last day of May, but may be extended for fifteen working days. [*As amended November 13, 1874.*]

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I. To audit the accounts of the previous year which shall be submitted to the House of Representatives not later than ten days after the opening of the session. *The audit shall not be confined to determining whether the expenditures do or do not conform with the respective items in the Budget, but shall comprise an examination of the exactness of, and authorization for, payments made thereunder, and of any liability arising from such payments.*

*No other secret items shall be permitted than those which the budget may consider necessary as such; these amounts shall be paid out by the secretaries of executive departments under written orders of the President.*

II. To examine, discuss and approve the budget for the next fiscal year, and to lay such taxes as may be needed to meet the expenditures.

III. To study, discuss and vote on all bills presented and to discuss all other matters incumbent upon the Congress by virtue of this Constitution.

Art. 66. *The regular session of the Congress shall last the period necessary to deal with all of the matters mentioned in the foregoing article, but it may not be extended beyond the thirty-first day of December of the same year. Should both Houses fail to agree as to adjournment prior to the above date, the matter shall be decided by the executive.*

Art. 67. The Congress shall meet in extraordinary session whenever so summoned by the



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President, but in such event it shall consider only the matter or matters submitted to it by the President, who shall enumerate it or them in the respective call. The President shall have power to convene in extraordinary session only one of the Houses when the matter to be referred to it pertains to its exclusive jurisdiction.

[Substantially identical with Arts. 68 & 69 of 1857.]

Art. 68. Both Houses shall hold their meetings in the same place and shall not move to another without having first agreed upon the moving and the time and manner of accomplishing it, as well as upon the place of meeting, which shall be the same for both Houses. If both Houses agree to change their meeting place but disagree as to the time, manner and place the President shall settle the question *by choosing one of the two proposals*. Neither House may suspend its sessions for more than three days without the consent of the other.

[Identical with Art. 71 G of 1857 excepting italicized portion.]

Art. 63. At the opening of the sessions of the Congress the President shall be present and make an address in which he shall give information on the state of the country. The President of the Congress shall reply in general terms.

Art. 69. The President of the Republic shall attend at the opening of the sessions of the Congress, whether regular or extraordinary, *and shall submit a report in writing*; this report shall, in the former case, relate to the general state of the Union; and in the latter, it shall explain to the Congress or to the House addressed the reasons or causes which rendered the call

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Art. 64. Every measure of the Congress shall be in the form of a law or decree. The laws or decrees shall be communicated to the Executive after having been signed by the Presidents of both Houses and by one of the secretaries of each. When promulgated, the enacting clause shall read as follows:

"The Congress of the United States of Mexico decrees (text of the law or decree)." [As amended November 13, 1874.]

## PARAGRAPH II

*Of the Origin and Formation of Laws*

Art. 65. The right to originate legislation pertains:

I. To the President of the Republic

II. To the Representatives and Senators of the Congress

III. To the State Legislatures. [As amended November 13, 1874.]

Art. 66. Bills submitted by the President of the Republic, by State Legislatures or delegations thereof, shall be at once referred to committee. Those introduced by representatives or senators shall be subject to the rules of procedure. [As amended November 13, 1874.]

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necessary and the matters requiring immediate attention.

Art. 70. [Identical]

## SECTION II

*Of the Origin and Formation of the Laws*

Art. 71. The right to originate legislation pertains:

I. To the President of the Republic;

II. To the Representatives and Senators of the Congress;

III. To the State Legislatures.

Bills submitted by the President of the Republic, by State Legislatures or by delegations of the States shall be at once referred to committee. Those introduced by representatives or senators shall be subject to the rules of procedure.

[Identical with Arts. 65 and 66 of 1857]

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Art. 67. No bill rejected in the House of origin before passing to the other House shall be reintroduced during the session of that year. [*As amended November 13, 1874.*]

Art. 68. The second period of sessions shall be devoted with preference over all other matters, to the making of the necessary appropriations for the support of the Government in the following fiscal year, the levying of the taxes necessary to meet the expenses, and the examination of the accounts of the past year submitted by the Executive.

Art. 69. The Executive shall transmit to the House of Representatives, on the eve of the last day of the session, the accounts of the year and the budget for the next. They shall be referred to a special committee, which shall be appointed on that day, consisting of five members, whose duty it shall be to examine both documents and report thereon at the second meeting of the second period. [*As amended November 13, 1874.*]

Art. 70. Legislative measures may be originated in either House, excepting bills dealing with loans, taxes or imposts, or with the raising of troops which must have their origin in the House of Representatives. [*As amended November 13, 1874.*]

Art. 71. Bills, action on which shall not pertain exclusively to

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[Identical with Art. 72 (g) of 1917]

[Identical with Art. 72 (h) of 1917]

Art. 72. [Identical]

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one of the Houses, shall be discussed first by one and then by the other, according to the rules of procedure as to the form, time of presentation and other details relative to discussions and votes.

A. After a bill has been approved in the House where it originated it shall be sent to the other House for consideration. If passed by the latter it shall be transmitted to the President who, if he has no observations to make thereto, shall immediately promulgate it.

B. Bills not returned by the Executive within ten working days with his observations to the House in which they originated, shall be considered approved, unless during the said ten days the Congress shall have adjourned or suspended its sessions, in which event they shall be returned on the first working day after the Congress shall have reconvened.

C. Bills rejected in whole or in part by the Executive shall be returned with his observations to the House where they originated. They shall be discussed anew by the latter and if passed by a majority vote shall be sent to the other. If approved by it, also by the same majority vote, the bill shall become a law and shall be sent to the Executive for promulgation. In such cases the voting in both Houses shall be by yeas and nays.

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(a) [Identical]

(b) [Identical]

(c) Bills rejected in whole or in part by the Executive shall be returned with his observations to the House where they originated. They shall be discussed anew by this House and if confirmed by a *two-thirds majority vote of the total membership* shall be sent to the other House for reconsideration. If approved by it, also by the same majority vote, the bill shall become law and shall be returned to the Executive for promulgation.

The voting in both Houses shall be by yeas and nays.

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D. Bills totally rejected by the House not originating them shall be returned with the proper observations to the House of origin. If examined anew and approved by a majority of the members present, they shall be returned to the House rejecting them, which shall once again take them under consideration, and if approved by it, likewise by the same majority vote, they shall be sent to the Executive for the purposes of Clause A; but if the said House fail to approve them, they shall not be reintroduced in the same session.

E. Bills rejected in part or modified or amended by the House of revision shall be discussed anew in the House of origin, but the discussion shall be confined to the portion rejected or to the amendments or additions, without the approved articles being altered in any respect. If the additions or amendments made by the House of revision be approved by a majority vote of the members present in the House of origin, the bill shall be transmitted to the Executive for the purposes of Clause A; but if the amendments or additions by the House of revision be rejected by a majority vote of the House of origin they shall be returned to the former House in order that the reasons set forth by the latter may be taken into consideration.

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(d) [Identical]

(e) [Identical]

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If in this second revision the said additions or amendments be rejected by a majority vote of the members present the portion of the bill which has been approved by both Houses shall be sent to the Executive for the purposes of Clause A. If the House of revision insist by a majority vote of the members present upon the additions or amendments, no action shall be taken on the whole bill until the next session, unless both Houses agree, by a majority vote of the members present, to the promulgation of the law without the articles objected to, which shall be left till the next session, when they shall be then discussed and voted upon.

F. The same formalities as are required for the enactment of laws shall be observed for their interpretation, amendment or repeal.

(f) [Identica ]

G. Both Houses shall hold their meetings at the same place, and shall not move to another without first having agreed upon the moving and the time and manner of accomplishing it, as well as upon the place of meeting which shall be the same for both Houses. If both Houses agree to change their meeting place, but disagree as to the time, manner or locality, the Executive shall settle the question. Neither House shall adjourn for more than three days without the consent of the other.

[Identical with Art. 68 of 1917]

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(g) No bill rejected in the House of origin before passing to the other House shall be reintroduced during the session of that year.

[Identical with Art. 67 of 1857]

(h) Legislative measures may be originated in either House, excepting bills dealing with loans, taxes or imposts, or with the raising of troops which must have their origin in the House of Representatives.

[Identical with Art. 70 of 1857]

(i) *Whenever a bill shall be presented to one House it shall be first discussed there unless one month shall have elapsed since it was referred to committee and not reported, in which event an identical bill may be presented and discussed in the other House.*

H. When Congress meets in extra session it shall deal exclusively with the matter or matters specified in the call. If the object of the extra session has not been accomplished at the time in which the ordinary session begins, there shall be, nevertheless, a formal closing of the extra session, and the unfinished business shall be taken up and discussed in the ordinary session.

The Executive shall not make any observations touching the resolutions of the Congress providing for an adjournment of its sessions, or passed by it when sitting as an electoral body or as a grand jury. [As amended November 13, 1874.]

(j) The President shall not make any observations touching the resolutions of the Congress or of either House when acting as an electoral body or as a grand jury, nor when the House of Representatives shall declare that there are grounds to impeach any high federal authority for official offences.

Nor shall he make any observations touching the order for a call issued by the Permanent Committee as provided in Article 84.

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## PARAGRAPH III

*Of the Powers of the Congress*

Art. 72. The Congress shall have power:

I. To admit new States or Territories into the Federal Union, incorporating them into the Nation.

II. To grant statehood to Territories which have a population of eighty thousand inhabitants and the necessary means to provide for their political existence.

III. To form new States within the boundaries of existing ones, provided the following requisites are complied with:

1. That the section or sections aspiring to statehood have a population of one hundred and twenty thousand inhabitants at least;

2. That proof be given to the Congress that it has sufficient means to provide for its political existence;

3. That the legislatures of the States affected be heard as to the advisability or inadvisability of granting such statehood, which opinion shall be given within six months reckoned from the day on which the respective communication is forwarded;

4. That the opinion of the Executive of the Federal Government be also heard on the subject; this opinion shall be given within seven days after the date on which it was requested.

5. That the creation of the new State be voted upon favorably by two-thirds of the Repre-

## SECTION III

*Of the Powers of the Congress*

Art. 73. The Congress shall have power:

I. To admit new States or Territories into the Federal Union.

II. [Identical]

III. [Identical]



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representatives and Senators present in their respective Houses.

6. That the resolution of the Congress be ratified by a majority of the State Legislatures, upon examination of a copy of the record of the case, provided that the Legislatures of the States to which the section belongs shall have given their consent.

7. That the ratification referred to in the foregoing clause be given by two-thirds of the legislatures of the other States, if the legislatures of the States to which the Section belongs have not given their consent. [*As amended November 13, 1874.*]

IV. To settle finally the limits of the States, terminating the differences which may arise between them relative to the demarcation of their respective territories, except when the differences be of a litigious nature.

V. To change the residence of the supreme powers of the Federation.

VI. To legislate in all matters relating to the Federal District and the Territories.

IV. [Identical]

V. [Identical]

VI. To legislate in all matters relating to the Federal District and the Territories, as *herein after provided:*

1. *The Federal District and the Territories shall be divided into municipalities, each of which shall have the area and population sufficient for its own support and for its contribution toward the common expenses.*

2. *Each municipality shall be governed by a town council elected by direct vote of the people.*

3. *The Federal District and each of the Territories shall be administered by governors under the direct orders of the President of the Republic. The Governor of*

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*the Federal District shall despatch with the President, and the Governor of each Territory shall despatch with the President through the duly constituted channels. The Governor of the Federal District and the Governor of each Territory shall be appointed by the President and may be removed by him at will.*

4. *The Superior Judges and those of First Instance of the Federal District as well as of the Territories shall be named by the Congress, acting in each case as an electoral college. In the temporary or permanent absences of the said Superior Judges these shall be replaced by appointment of the Congress, and in recess by temporary appointments of the Permanent Committee. The organic law shall determine the manner of filling temporary vacancies in the case of judges, and shall designate the authority before whom they shall be called to account for any dereliction, excepting the provisions of this Constitution with regard to the responsibility of officials. From and after the year 1923 the Superior Judges and those of First Instance to which this clause refers may only be removed from office for bad conduct and after impeachment, unless they shall have been promoted to the next higher grade. From and after the said date the compensation enjoyed by said officials shall not be diminished during their term of office.*

5. *The office of the Public Attorney (Ministerio Publico) of the Federal District and of the*

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VII. To lay the taxes necessary to meet the expenditures of the budget.

VIII. To establish the bases upon which the Executive may make loans on the credit of the nation; to approve the said loans and to acknowledge and order the payment of the national debt.

IX. To enact laws fixing the duties to be levied on foreign commerce, and to prevent by general provisions, onerous, restrictions from being imposed on interstate commerce.

X. To promulgate mining and commercial codes, which shall be binding throughout the whole Republic. The banking law shall form a part of the code of commerce. [As amended December 14, 1883.]

XI. To create or abolish Federal offices, and to fix, increase, or decrease the compensations assigned thereto.

XII. To confirm the nominations made by the Executive, of ministers, diplomatic agents, and

*Territories, shall be in charge of an Attorney General, who shall reside in the City of Mexico and of such Public Attorney or Attorneys as the law may determine; the said Attorney General shall be under the direct orders of the President of the Republic, who shall appoint and remove him at will.*

VII. [Identical]

VIII. [Identical]

IX. To enact tariff laws on foreign commerce and to prevent restrictions from being imposed on interstate commerce.

X. To legislate for the entire Republic in all matters relating to mining, commerce, and institutions of credit, and to establish the sole bank of issue, as provided in Article 28 of this Constitution.

XI. [Identical]

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consuls, superior officers of the treasury, colonels and other superior officers of the national army and navy. [*Transferred to Art. 72 B, II, Exclusive Powers of the Senate, November 13, 1874.*]

XIII. To approve the treaties, agreements, or diplomatic conventions which the Executive may make. [*Transferred to Art. 72 B, I, Exclusive Powers of the Senate, November 13, 1874.*]

XIV. To declare war, upon examination of the facts submitted by the Executive.

XV. To regulate the manner in which letters of marque may be issued; to enact laws according to which prizes on sea and land shall be adjudged valid or invalid; and to frame the admiralty law for times of peace and war.

XVI. To grant or refuse permission to foreign troops to enter the territory of the Republic, and to allow fleets of other powers to remain for more than one month in the waters of the Republic.

[*Transferred to Art. 72 B, III, Exclusive Powers of Senate, November 13, 1874.*]

XVII. To allow national troops to go beyond the limits of the republic.

[*Transferred to Art. 72 B, III, Exclusive Powers of Senate, November 13, 1874.*]

XVIII. To raise and maintain the army and navy of the Union, and to regulate their organization and service.

XIX. To make rules for the organization armament, and

XII. [Identical]

XIII. [Identical]

XIV. [Identical]

XV. To make rules for the organization and discipline of

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discipline of the national guard, reserving respectively to the citizens who compose it the appointment of the commanders and officers, and to the States the power of instructing it in conformity with the discipline prescribed by said regulations.

XX. To consent to the use by the Executive of the national guard outside of its respective States and Territories, determining the strength of the force required.

[*Transferred to Art. 72 B, IV, Exclusive Powers of Senate, November 13, 1874.*]

XXI. To enact laws on citizenship, naturalization, colonization, emigration, immigration and public health of the Republic.

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the National Guard, reserving for the citizens who compose it the right of appointing their respective commanders and officers, and to the States the power of instructing it in conformity with the discipline prescribed by the said regulations.

XVI. To enact laws on citizenship, naturalization, colonization, emigration, immigration and public health of the Republic.

1. *The Public Health Service shall depend directly upon the President of the Republic, without the intervention of any executive department, and its general provisions shall be binding throughout the Republic.*

2. *In the event of epidemics of a grave or dangerous nature, of the invasion of diseases from abroad, the Public Health Service shall put into force without delay the necessary preventive measures, subject to their subsequent sanction by the President of the Republic.*

3. *The sanitary authorities shall have executive faculties and their determinations shall be obeyed by the administrative authorities of the country.*

4. *All measures which the Public Health Service shall have put into effect in its campaign against alcoholism and the sale of sub-*

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XXII. To enact laws on the general means of communication and on post-roads and post-offices, to define and determine the waters subject to Federal jurisdiction and to enact laws as to the use and development of the same. [*As amended June 20, 1908.*]

XXIII. To establish mints, regulate the value and kinds of the national coin, fix the value of foreign moneys, and adopt a general system of weights and measures.

XXIV. To make rules for the occupation and alienation of public lands and the prices thereof.

XXV. To grant pardons for offenses subject to federal jurisdiction.

XXVI. To grant rewards and recompenses for eminent services rendered to the country or to humanity. [*As amended June 2, 1882.*]

XXVII. To extend for thirty working days the first period of its ordinary sessions.

XXVIII. To make rules for its internal government and to enact the necessary provisions to compel the attendance of absent Representatives and Senators and to punish the acts of commission or omission of those present.

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*stances injurious to man and tending to degenerate the race shall be subsequently revised by the Congress, in such cases as fall within the jurisdiction of the latter.*

XVII. To enact laws on general means of communication, postroads and post offices and to enact laws as to the use and development of the waters subject to the Federal jurisdiction.

XVIII. [Identical]

XIX. [Identical]

XX. *To enact laws as to the organization of the diplomatic and consular services.*

XXI. *To define the crimes and offenses against the Nation and to fix the penalties therefor.*

XXII. [Identical]

XXIII. [Identical]

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XXIX. To issue the organic law of the office of the Comptroller of the Treasury.

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XXIV. [Identical]

XXV. To sit as an electoral college and to name the Justices of the Supreme Court, and the Superior and Inferior Judges of the Federal District and Territories.

XXVI. To accept the resignation of the Justices of the Supreme Court and of the Superior and Inferior Judges of the Federal District and Territories, and to name substitutes in their absence and to appoint their successors.

XXVII. To establish professional schools of scientific research and fine arts, vocational, agricultural and trade schools, museums, libraries, observatories and other institutes of higher learning, until such time as these establishments can be supported by private funds. These powers shall not pertain exclusively to the Federal Government.

All degrees conferred by any of the above institutions shall be valid throughout the Republic.

XXVIII. To sit as an electoral college and to choose the person to assume the office of President of the Republic, either as a substitute President or as a President ad interim in the terms established by Articles 84 and 85 of this Constitution.

XXIX. To accept the resignation of the President of the Republic.

[Compare Art. 72 A, II of 1857.]

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XXX. To make all laws necessary for carrying into execution the foregoing powers and all other powers vested by this Constitution in the several branches of the Government.

A. The House of Representatives shall have the following exclusive powers:

I. To sit as an electoral college to exercise the powers conferred by law regarding the appointments of constitutional President and Vice President of the Republic, justices of the supreme court and senators for the Federal District. [*Amendment of May 6, 1904.*]

II. To pass upon the resignations and leaves of absence of the President and Vice President of the Republic and of the resignations of the justices of the supreme court. [*As amended May 6, 1904.*]

III. To watch, by means of a special committee, over the faithful performance by the Comptroller of the Treasury in the discharge of his duties.

IV. To appoint all the higher officers and other employees of the office of the Comptroller of the Treasury.

V. To act as a grand jury and to formulate articles of impeachment against the functionaries

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XXX. To audit the accounts which shall be submitted annually by the Executive; *this audit shall comprise not only the checking of the items disbursed under the Budget but the exactness of and authorization for the expenditures in each case.*<sup>17</sup>

XXXI. [Identical]

Art. 74. The House of Representatives shall have the following exclusive powers:

I. To sit as an electoral college to exercise the powers conferred by law as to the election of the President.

II. To watch by means of a committee appointed from among its own members over the faithful performance by the Comptroller of the Treasury in the discharge of his duties.

III. [Identical]

[Compare Art. 74, V, of 1917]

<sup>17</sup> See Art. 72 A, VI, of 1857.



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mentioned in article 103 of the Constitution.

VI. To audit the accounts to be rendered yearly by the Executive, approve the annual budget, and originate taxation for the purpose of meeting the expenses of the Government.

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IV. To approve the annual budget, after a discussion as to what taxes must in its judgment be laid to meet the necessary expenditures.

V. To take cognizance of all charges brought against public officials, as herein provided, for official offenses, and should the circumstances so warrant to impeach them before the Senate; and further to act as a grand jury to decide whether there is or is not good ground for proceeding against any official enjoying constitutional privileges, whenever accused of offenses of the common order.

VI. *To exercise such other powers as may be expressly vested in it by this Constitution.*

Art. 75. *The House of Representatives, in passing the budget, shall not fail to assign a definite compensation to every office created by law, and if for any reason such compensation shall not be assigned, the amount fixed in the preceding budget or in the law creating the office shall be presumed to be assigned.*

Art. 76.

B. The Senate shall have the following exclusive powers:

I. To approve the treaties and diplomatic conventions concluded by the Executive with foreign powers.

II. To confirm the nominations made by the President of diplomatic ministers or agents, consuls general, higher officials of the treasury, colonels and

I. [Identical]

II. [Identical]

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other superior officers of the army and navy, in the manner and form by law provided.

III. To authorize the Executive to allow national troops to go beyond the limits of the Republic, or to permit foreign troops to pass through the national territory, and to consent to the presence of fleets of another nation for more than one month in Mexican waters.

IV. To consent to the Executive disposing of the national guard outside of the limits of its respective States or Territories, and to fix the amount of the force to be used.

V. To declare, when all the constitutional powers of any State have disappeared, that the occasion has arisen to give the said State a provisional governor, who shall order elections to be held according to the constitution and laws of the State. The appointment of such governor shall be made by the Federal Executive with the approval of the Senate, or in its recess, of the permanent committee. The said functionary shall not be chosen constitutional governor in the elections to be held under the call which he shall issue.

III. [Identical]

IV. [Identical]

V. To declare, when all the constitutional powers of any State have disappeared, that the occasion has arisen to give to the said State a provisional governor, who shall call for elections to be held according to the constitution and laws of the said State. The appointment of such a governor shall be made *by the Senate with the approval of two-thirds of its members present or during recess by the Permanent Committee by the same two-thirds majority, from among three names submitted by the President.* The official thus selected shall not be chosen constitutional governor in the elections to be held under the call which he shall issue. *This provision shall govern whenever the State Constitutions do not provide for the contingency.*

VI. *To sit as a Grand Jury to take cognizance of such official offenses of functionaries as are*

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VI. To adjust all political questions arising between the powers of a State whenever one of them shall appeal to the Senate or whenever by virtue of such differences a clash of arms has arisen to interrupt the constitutional order. In this event the Senate shall decide in accordance with the Federal Constitution and the Constitution of the State involved.

The exercise of this power and of the foregoing shall be regulated by law.

VII. To sit as a court of impeachment, under article 105 of the Constitution. [*As amended November 13, 1874.*]

C. Each House may, without the intervention of the other:

I. Pass resolutions upon matters exclusively relating to its own interior government.

II. Communicate with the other House, and with the Executive through committees appointed from among its members.

III. Appoint the employees in the office of its secretary, and make all rules and regulations for the said office.

IV. Issue a call for extraordinary elections to fill any vacancies which may occur in its membership. [*As amended November 13, 1874.*]

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*expressly prescribed by this Constitution.*

VII. *To exercise such other powers as may be expressly vested in it by this Constitution.*

VIII. [Identical]

Art. 77. [Identical]

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## PARAGRAPH IV

*Of the Permanent Committee*

Art. 73. During the recesses of the Congress there shall be a Permanent Committee consisting of twenty-nine members, fifteen of whom shall be Representatives and fourteen Senators, appointed by the respective Houses on the eve of the day of adjournment. [*As amended November 13, 1874.*]

Art. 74. In addition to the powers vested in it by this Constitution, the Permanent Committee shall have the following powers:

I. To give its consent to the use of the national guard as provided in Article 72, Clause XX. [*As amended May 6, 1904.*]

II. To decide upon the call for extraordinary sessions of the Congress or of a single House thereof, either on its own initiative, in which event it shall hear the opinion of the Executive, or on the proposal of the Executive; in either event, the

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## SECTION IV

*Of the Permanent Committee*

Art. 78. During the recess of the Congress there shall be a Permanent Committee consisting of twenty-nine members, fifteen of whom shall be Representatives and fourteen Senators, appointed by the respective Houses on the eve of the day of adjournment.

Art. 79. In addition to the powers expressly vested in it by this Constitution, the Permanent Committee shall have the following powers:

I. To give its consent to the use of the national guard as provided in Article 76, Clause IV.

II. To administer the oath of office, should the occasion arise, to the President, to the Justices of the Supreme Court, to the Superior Judges of the Federal District and Territories, on such occasions as the latter officials may happen to be in the City of Mexico.

[Compare Art. 74, IV of 1857.]

III. To report on all pending matters, so that they may be considered in the next session.

[Compare Art. 74, V of 1857.]

IV. To call extraordinary sessions in the case of official offenses or offenses of the common order committed by Secretaries of Executive Departments or Justices of the Supreme Court, and official offenses committed by State Governors, provided the

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two-thirds' vote of the members present shall be necessary. The call shall stipulate the object or objects of the extraordinary session. [*As amended November 13, 1874.*]

III. To confirm the nominations referred to in article 85, Clause III.

IV. To administer the oath of office to the President of the Republic, and to the justices of the supreme court, in the cases provided for by this Constitution.

V. To report upon all pending matters, in order that the next legislature may immediately consider them.

## SECTION II

### *Of the Executive Power*

Art. 75. The exercise of the supreme executive power of the Union is vested in a single individual, who shall be called "President of the United States of Mexico."

Art. 76. The election of President shall be direct, in accordance with the terms of the electoral law. [*As amended April 26, 1912.*]

Art. 77. No person shall be eligible to the office of President who is not a Mexican citizen by birth, in the exercise of his rights, over thirty-five years old at the time of the election, not belonging to the ecclesiastical state, and a resident of the country at the time in which the election is held.

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case shall have been already instituted by the Committee of the Grand Jury, in which event no other business of the Congress shall be considered, nor shall the sessions be prolonged beyond the time necessary for a decision.

## CHAPTER III

### *Of the Executive Power*

Art. 80. [Identical]

Art. 81. [Identical]

Art. 82. The President of the Republic shall have the following qualifications:

I. He shall be a Mexican citizen by birth, in the *full enjoyment* of his rights, *and he must be the son of Mexican parents by birth.*

II. He shall be over thirty-five years of age at the time of election.

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Art. 78. The President and Vice-President shall enter upon their duties on the first day of December, shall serve six years, and shall never be reelected.

The President shall never be elected Vice-President, nor the Vice-President be elected President for the ensuing term.

Nor may the Secretary of the Executive Department charged with the executive power at the time of the elections be elected President or Vice-President. [As amended November 27, 1911.]

Art. 79. The electors who choose the President shall likewise, on the same day and in the same manner, choose a Vice-President, who shall have the same qualifications as by Article 77 are required for the office of President.

The Vice-President shall be ex officio President of the Sen-

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III. He shall have resided in the country during the entire year prior to the election.

IV. He shall not belong to the ecclesiastical state nor be a minister of any religious creed.

V. In the event of belonging to the army, he shall have retired from active service 90 days immediately prior to the election.

VI. He shall not be a secretary or assistant secretary of any executive department, unless he shall have resigned from office 90 days prior to the election.

VII. He shall not have taken part, directly or indirectly, in any uprising, riot or military coup.

Art. 83. The President shall enter upon the duties of his office on the first day of December, shall serve four years and shall never be reelected.

The citizen who shall replace the constitutional President in the event of his permanent disability shall not be elected President for the ensuing term.

Nor shall the person designated as Acting President during the temporary disabilities of the constitutional President be re-elected President for the ensuing term.

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ate; he shall have no voice and shall only be entitled to a vote in the event of a tie. The Vice President may, however, fill any appointive office of the Executive; in the event of disability caused by such appointment or by other causes, he shall be replaced as President of the Senate, as provided in the respective law. [As amended May 6, 1904.]

Art. 80. Whenever the President shall fail to present himself on the day set by law to assume office, or whenever a permanent disability occur during his term of office or he be granted permission to leave his office, the **Vice-President** shall assume the exercise of the Executive Power by operation of law, without the need of a new oath of office.

If the disability of the President be permanent the **Vice-President shall complete the term for which he was elected**; in all other cases, he shall serve until the President resume office. [As amended May 6, 1904.]

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Art. 84. *In the event of the permanent disability of the President of the Republic, if this shall occur within the first two years of the respective term, the Congress, if in session, shall forthwith act as an electoral college, and with the attendance of at least two-thirds of its total membership shall choose a President by secret ballot and by a majority vote; and the same Congress shall issue the call for Presidential elections and shall endeavor to have the date set for this event as far as possible coincide with the date of the next election of Representatives and Senators to Congress.*

*Should the disability of the president occur while Congress is in recess, the Permanent Committee shall forthwith designate a President ad interim who shall call Congress together in extraordinary session, in order that it may in turn issue the call for Presidential elections in the manner provided in the foregoing paragraph.*

*Should the disability of the President occur in the last two years of the respective term, the Congress, if in session, shall*

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Art. 81. If neither the President Elect nor the Vice-President Elect shall present himself at the beginning of any constitutional term, or the election not have been made and the result made known by the first of December, the outgoing President shall nevertheless vacate office and the Secretary of Foreign Affairs shall forthwith assume the executive power; in the absence or disability of the secretary of Foreign Affairs, one of the secretaries of the executive departments, in the order established by law, shall forthwith assume the executive power.

The same procedure shall be observed when, in the event of the permanent or temporary disability of the President, the Vice President shall not present

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*choose the substitute to conclude the period of the presidential term; if Congress shall not be in session the Permanent Committee shall choose a President ad interim and shall summon Congress in extraordinary session, in order that it may act as an electoral college and proceed to the election of the substitute President.*

*The President ad interim may be chosen by Congress as substitute President.*

*The citizen designated as President ad interim for the purpose of calling elections, in the event of the disability of the President within the two first years of the respective term, shall not be chosen in the elections held to fill such vacancy and for which he was designated.*

Art. 85. If the President-Elect shall fail to present himself at the beginning of any constitutional term, or the election not have been held and the result made known by the first of December, the outgoing President shall nevertheless vacate office and the President ad interim chosen by the Congress, or in its recess by the Permanent Committee, shall forthwith assume the executive power. All action taken hereunder shall be governed by the provisions of the foregoing article.

*In case of a temporary disability of the President, the Congress, or the Permanent Committee if the Congress shall not be in session, shall designate an Acting President during such disability. If a temporary disability shall*



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himself, when the latter shall be granted leave to resign, if he shall be in office, and when the permanent disability of both functionaries shall occur during the term of office.

In the event of the permanent disability of the President and Vice President, the Congress, or in its recess the Permanent Committee, shall immediately issue a call for extraordinary elections.

Should the disability of both functionaries occur in the last year of the constitutional term, no call shall be issued, but the secretary who shall assume the executive power shall continue charged with the same until the new President, or the person to act in his stead according to the preceding provisions, shall take office.

The citizens chosen in the extraordinary elections shall assume office so soon as the corresponding declaration be made, and they shall continue in office for the balance of the constitutional term. Whenever a secretary of an executive department shall be called upon to assume the executive power, he shall discharge this office without need of an affirmation, until such time as he is able to make it. [*As amended, May 6, 1904.*]

Art. 82. Neither the President nor Vice-President shall resign office except for grave cause, upon which the Congress shall pass, to which body the resignations shall be presented. [*As amended, May 6, 1904.*]

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become permanent, the action prescribed in the preceding article shall be taken.

*In the event of a leave of absence granted to the President of the Republic the person acting in his stead shall not be disqualified from being elected in the ensuing period, provided he shall not have been in office during the holding of elections.*

Art. 86. The President shall not resign office except for grave cause, upon which the Congress shall pass, to which body the resignation shall be tendered.

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Art. 83. The President, before entering upon the discharge of the duties of his office, shall make the following affirmation before the Congress, or in its recess before the Permanent Committee:

"I do solemnly affirm that I will defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder and that I will faithfully and conscientiously perform the duties of President of the United States of Mexico, to which I have been chosen by the people, having ever in mind the welfare and prosperity of the Nation."

The Vice-President shall in the same session make an affirmation in similar language to discharge the duties of Vice President, or, should the occasion arise, those of President; if he shall be unable to make the affirmation at the same session as the President, he shall do so at another session. [*As amended, May 6, 1904.*]

Art. 84. The President and the Vice-President shall not absent themselves from the national territory, without the permission of the House of Representatives. [*As amended, May 6, 1904.*]

Art. 85. The President shall have the following powers and duties:

I. To promulgate and execute the laws enacted by the Congress, providing, within the executive sphere, for their faithful observance.

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Art. 87. The President, before entering upon the discharge of the duties of his office, shall make the following affirmation before the Congress, or in its recess before the Permanent Committee:

"I do solemnly affirm that I will defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder and that I will faithfully and conscientiously perform the duties of President of the United States of Mexico, to which I have been chosen by the people, having ever in mind the welfare and prosperity of the Nation; *if I shall fail to do so, may the Nation call me to account.*"

Art. 88. The President shall not absent himself from the national territory without the permission of the Congress.

Art. 89.

I. [Identical]

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II. To appoint and remove at will the secretaries of executive departments, to remove the diplomatic agents and superior officers of the treasury, and to appoint and remove at will the other federal officials whose appointment or removal is not otherwise provided for in the Constitution or the laws.

III. To appoint, with the approval of the Congress, and, in its recess, of the Permanent Committee, ministers, diplomatic agents, and consuls general.

IV. To appoint, with the approval of Congress, colonels and other superior officers of the national army and navy, and superior officials of the treasury.

V. To appoint all other officers of the national army and navy, as by law provided.

VI. To dispose of the permanent land and sea forces for the domestic safety and foreign defense of the Union.

VII. To dispose of the national guard for the same purposes, as provided by Article 72, Clause XX.

VIII. To declare war in the name of the United States of Mexico, after the passage of the corresponding resolution by the Congress of the Union.

IX. To grant letters of marque, upon the terms and conditions fixed by the Congress.

X. To conduct diplomatic negotiations and to make treaties

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II. To appoint and remove at will the Secretaries of Executive Departments, *the Attorney General of the Republic, the Governor of the Federal District, the Governors of Territories, the Attorney General of the Federal District and Territories*; and to appoint and remove at will all other Federal employees whose appointment or removal is not otherwise provided for by law or in this Constitution.

III. To appoint, with the approval of the *Senate*, all ministers, diplomatic agents and consuls general.

IV. To appoint, with the approval of the *Senate*, the colonels and other superior officers of the army and navy and the superior officials of the treasury.

V. [Identical]

VI. [Identical]

VII. To dispose of the national guard for the same purposes, as provided by Article 76, Clause IV.

VIII. [Identical]

IX. [Identical]

X. [Identical]

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with foreign powers, submitting them for ratification to the Congress.

XI. To receive ministers and other envoys from foreign powers.

XII. To call, upon resolution of the Permanent Committee, an extra session of the Congress.

XIII. To afford the judiciary the assistance necessary for the expeditious exercise of its functions.

XIV. To open all kinds of ports, establish maritime and frontier custom houses and designate their location.

XV. To grant, according to law, pardons to criminals sentenced for offenses within the jurisdiction of the Federal tribunals.

XVI. To grant exclusive privileges for a limited time, and according to the respective laws, to discoverers, inventors or improvers in any branch of industry. [*As amended, June 2, 1882.*]

Art. 86. For the transaction of administrative matters of the

XI. To call Congress, or *either of the Houses*, in extraordinary session, *whenever in his judgment it may be advisable.*

XII. [Identical]

XIII. [Identical]

XIV. To grant, according to law, pardons to criminals sentenced for offenses within the jurisdiction of the Federal tribunals, *and to all persons sentenced for offenses of the common order in the Federal District and Territories.*

XV. [Identical]

XVI. *Whenever the Senate shall not be in session the President may temporarily make the nominations enumerated in Clauses III and IV hereof, [but these nominations shall be submitted to the Senate so soon as it reconvenes.*

XVII. *To exercise such other rights and duties as are expressly conferred upon him by this Constitution.*

Art. 90. [Identical]

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Federal Government there shall be the number of Secretaries of Executive Departments which the Congress may by law establish, which law shall likewise assign among the various departments the several matters with which each shall be charged.

Art. 87. No person shall be appointed secretary of an executive department who is not a Mexican citizen by birth, in the enjoyment of his rights, and twenty-five years old.

Art. 88. All regulations, decrees, and orders of the President shall be signed by the secretary of the executive department to which the matter pertains. They shall not be binding without this requisite.

Art. 89. The Secretaries of Executive Departments shall, so soon as the sessions of the first period are opened, report to the Congress as to the state of their respective departments.

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Art. 91. No person shall be appointed Secretary of an Executive Department who is not a Mexican citizen by birth, in the enjoyment of his rights and who has not attained the age of *thirty* years.

Art. 92. All regulations, decrees and orders of the President shall be signed by the Secretary of the Executive Department to which the matter pertains. They shall not be binding without this requisite. *All regulations, decrees, and orders of the President touching the government of the Federal District and the administrative departments shall be transmitted directly by the President to the Governor of the District and to the chief of the respective department.*

Art. 93. The Secretaries of Executive Departments shall on the opening of each regular session report to the Congress as to the state of their respective Departments. *Either House may summon a Secretary of an Executive Department to inform it, whenever a bill or other matter pertaining to his department is under discussion or consideration.*

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## SECTION III

*Of the Judicial Power*

Art. 90. The judicial power of the Federation is vested in a supreme court and in the district and circuit courts.

Art. 91. The supreme court shall consist of fifteen justices, and shall sit in banc or in sections, as provided by law. [*As amended, May 22, 1900.*]

Art. 92. The justices of the supreme court shall serve for six years, and their election shall be indirect in the first degree, in the manner established by the electoral law.

Art. 93. No person shall be eligible to the position of justice of the supreme court who, in the judgment of the electors, is not

## CHAPTER IV

*Of the Judicial Power*

Art. 94. The judicial power of the Federation is vested in a Supreme Court and in Circuit and District Courts, *whose number and powers shall be fixed by law.* The Supreme Court of Justice shall consist of *eleven* members; its sittings shall be in banc and *its hearings shall be public, except in the cases where public interest or morality shall otherwise require.* It shall meet at such times and under such conditions as by law prescribed. *No sittings of the court shall be held without the attendance of at least two-thirds of its total membership, and all decisions rendered shall be by a majority vote.*

*The Justices of the Supreme Court chosen to this office in the forthcoming elections shall serve two years; those elected at the conclusion of this first term shall serve four years, and from and after the year 1923 the Justices of the Supreme Court, the Circuit and District judges may only be removed for malfeasance and after impeachment proceedings, unless the Circuit and District Judges be promoted to the next higher grade.*

*The same provision shall govern, in so far as it be applicable to the terms of two and four years, respectively, to which this article refers.*

Art. 95. The Justices of the Supreme Court shall have the following qualifications:

I. They shall be Mexican

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learned in the science of law, thirty-five years of age, and a Mexican citizen by birth, in the exercise of his rights.

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citizens by birth, in the full enjoyment of *their civil and political rights*.

II. They shall be over thirty-five years of age at the time of election.

III. *They shall be graduates in law of some institution or corporation authorized by law to confer such degrees.*

IV. They shall be of good repute and not have been convicted of any offense punishable with more than one year's imprisonment; but conviction of larceny, deceit, forgery, embezzlement or any other offense seriously impairing their good name in the public mind shall disqualify them for office, whatever may have been the penalty imposed.

V. They shall have resided in the country for the last five years, except in the case of absence due to public service abroad for a period not exceeding six months.

Art. 96. The members of the Supreme Court of Justice shall be chosen by the Congress, acting as an electoral college; the presence of at least two-thirds of the total number of Representatives and Senators shall be necessary for such action. The election shall be by secret ballot and by a majority vote, and shall be held as among the candidates previously proposed, one being nominated by each State legislature, as provided in the respective State laws.

Should no candidate receive a majority on the first ballot, the balloting shall be repeated between the two candidates receiving the highest number of votes.

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Art. 94. The justices of the supreme court shall, on entering upon the exercise of their functions, take an oath before Congress, and, in its recesses, before the permanent committee, in the following form: "Do you swear to perform loyally and patriotically the office of justice of the supreme court of justice, to which you have been chosen by the people, in conformity with the Constitution, having ever in mind the welfare and prosperity of the Union?"

Art. 95. The resignation of a justice of the supreme court shall only be accepted for grave cause, approved by the Congress, to whom the resignation shall be tendered. In the recesses of the Congress the power to act on this matter belongs to the Permanent Committee.

Art. 96. The law shall establish and organize the circuit and district courts, and the office of the Public Attorney of the Federation. The officers of the Public Attorney and the Attorney General of the Republic who shall preside over the same shall be appointed by the Executive. [As amended May 22, 1900.]

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[Compare the last two paragraphs of Art. 97 of 1917.]

[Identical with Art. 99 of 1917]

Art. 97. All Circuit and District Judges shall be appointed by the Supreme Court of Justice; they shall have such qualifications as by law required, shall serve four years and shall not be removed except by impeachment proceedings or for incapacity to discharge their duties, in accordance with the law.

The Supreme Court of Justice may remove the District Judges from one District to another, or it may fix their seats in another locality, as it may deem most advantageous to the public business. A similar procedure shall



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be observed in the case of Circuit Judges.

The Supreme Court of Justice may likewise appoint auxiliary Circuit and District Judges to assist in the labors of such courts as have an excessive amount of business, in order that the administration of justice may be speedy; it shall also name one or more of its members or some district or circuit judge or shall designate one or more special commissioners, whenever it shall deem it advisable or on the request of the President or of either House or of any State Governor, solely for the purpose of inquiring into the behavior of any judge or federal justice or into any fact or facts which amount to a violation of any individual rights or to the subversion of the popular will or any other offense punishable by Federal statute.

The Circuit and District Courts shall be assigned among the several Justices of the Supreme Court who shall visit them periodically, shall observe the conduct of their judges, listen to any complaint presented against them and perform all such other acts as the law may require. The Supreme Court shall appoint and remove at will its clerk of the court and other employees on the roster established by law. The Circuit and District Judges shall likewise appoint and remove at will their respective clerks and employees.

The Supreme Court shall choose each year one of its mem-

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bers to act as Chief Justice, with the right of re-election.

Each Justice of the Supreme Court on assuming office shall make an affirmation before Congress, or if this is in recess, before the Permanent Committee, as follows:

The Presiding Officer shall say: "Do you promise to perform faithfully and conscientiously the duties of Justice of the Supreme Court with which you have been charged, and to defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder, having ever in mind the welfare and prosperity of the Nation?" To which the Justice shall reply, "I do." On which the Presiding Officer shall answer: "If you fail to do so, may the Nation call you to account."

The Circuit and District Judges shall make the affirmation of office before the Supreme Court or before such other authority as the law may determine.

Art. 98. *No temporary disability of a Justice of the Supreme Court not exceeding one month shall be filled, provided there be otherwise a quorum. In the absence of a quorum the Congress, or in its recess the Permanent Committee, shall name a substitute selected from among the candidates submitted by the States for the election of the justice in question and not chosen, to serve during such disability. If the disability does not exceed two months,*

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*the Congress, or during its recess the Permanent Committee, shall choose at will a temporary justice.*

*In the event of the death, resignation or disqualification of any justice of the supreme court, a new election shall be held by the Congress to fill this vacancy as provided in Article 96.*

*If the Congress shall not be in session, the Permanent Committee shall make a temporary appointment until such time as the Congress shall convene and proceed to the corresponding election.*

Art. 99. [Identical with Art. 95 of 1857.]

Art. 100. *The Supreme Court shall grant all leaves of absence of its members, when they do not exceed one month; such as do exceed this period shall be granted by the House of Representatives, or during its recess by the Permanent Committee.*

Art. 101. *No justice of the supreme court, circuit or district judge, nor clerk of any of these courts shall under any circumstances accept any State, Federal or private commission or office, excepting honorary titles from scientific, literary or charitable associations. The violation of this provision shall work a forfeiture of office.*

Art. 102. *The office of the Public Attorney shall be organized in accordance with the law, and its officers shall be appointed and removed at will by*

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*the Executive. They shall be under the direction of an Attorney General who shall possess the same qualifications as are required for the office of Justice of the Supreme Court.*

*The Public Attorneys shall be charged with the judicial prosecution of all Federal offenses; they shall accordingly sue out all orders of arrest, assemble and offer all evidence as to the responsibility of the accused, see that the trials are conducted in due order so that the administration of justice may be speedy, pray the imposition of sentence, and in general take part in all matters required by law.*

*The Attorney General of the Republic shall personally intervene in matters to which the Federal Government is a party, in cases affecting ministers, diplomatic agents and consuls general, and in all controversies between two or more States of the Union, between the Federal Government and a State or between the several powers of a State. The Attorney General may either personally or through one of the Public Attorneys take part in all other cases in which the Public Attorneys are called upon to act.*

*The Attorney General shall be the legal advisor of the Government, and both he and the Public Attorneys under his orders shall faithfully obey the law and shall be liable for all breaches or for any violations which they may incur in the discharge of their duties.*

Art. 103. [Identical with Art. 101 of 1857.]

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Art. 97. The Federal tribunals shall take cognizance of:

I. All controversies arising out of the application and enforcement of the federal laws, excepting when the application only affects private rights, when the regular local courts of the States, The Federal District and Territory of Lower California shall assume jurisdiction, respectively. *[As amended May 29, 1884.]*

II. All cases pertaining to admiralty law.

III. All cases to which the Federation may be a party.

IV. All cases which may arise between two or more States.

V. All cases arising between a State and one or more citizens of another State.

VI. All civil or criminal cases that may arise out of treaties with foreign powers.

VII. All cases concerning diplomatic agents and consuls.

Art. 98. The supreme court shall have original jurisdiction of controversies which may arise between one State and another, and of those to which the Federal Government may be a party.

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Art. 104. The Federal Tribunals shall have jurisdiction over:

I. All controversies of a civil or criminal nature arising out of the application and enforcement of the Federal laws, or out of treaties concluded with foreign powers. Whenever such controversies affect only private rights, the regular local courts of the States, the Federal District and Territories shall, *at the election of the plaintiff*, assume jurisdiction. *Appeal may be had from all judgments of first instance to the next higher tribunal of the same court in which the case was first heard. Appeal may be taken from sentences of second instance to the Supreme Court of Justice, which appeal shall be prepared, submitted and prosecuted, in accordance with the procedure provided by law.*

II. *[Identical]*

III. *[Identical]*

IV. All cases arising between two or more States, *or between any State and the Federal Government, as well as those arising between the courts of the Federal District and those of the Federal Government or of a State.*

V. *[Identical]*

VI. *[Identical with VII.]*

Art. 105. The Supreme Court of Justice shall have *exclusive* jurisdiction in all controversies arising between two or more States, *between the powers of government of any State as to the constitutionality of their acts, or between one or more*

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Art. 99. The supreme court shall also have power to settle questions of jurisdiction between Federal tribunals, between these tribunals, and those of the States, or between those of one State and those of another.

Art. 100. In all the other cases mentioned in Article 97, the supreme court shall be either a court of appeals, or a court of last resort, as may be defined by the law regulating the jurisdiction of the circuit and district courts.

Art. 101. The Federal tribunals shall take cognizance of:

I. All controversies arising out of laws or acts of the authorities which shall infringe any personal guarantees.

II. All controversies arising out of laws or acts of the federal authorities which limit or encroach upon the sovereignty of the States.

III. All controversies arising out of laws or acts of the State authorities which invade the sphere of the Federal authorities.

Art. 102. All controversies mentioned in Article 103 shall be prosecuted by the injured party in accordance with the judicial forms and procedure which the law shall establish.

The judgment shall always be so drawn as to affect exclusively

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*States and the Federal Government*, and in all cases to which the Federal Government may be a party.

Art. 106. The Supreme Court of Justice shall likewise have *exclusive* jurisdiction to determine all questions of jurisdiction between the Federal tribunals, between these and those of the States, or between those of one State and those of another.

[Identical with Art. 103 of 1917.]

Art. 107. All controversies mentioned in Article 103 shall be prosecuted by the injured party in accordance with the judicial forms and procedure which the law shall establish, subject to the following conditions:

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private individuals, and shall confine itself to affording them redress in the special case to which the complaint refers; but it shall make no general statement as to the law or the act that may have formed the basis for the complaint. When the controversy arises through the violation of personal guarantees in a civil suit, recourse may be had to the Federal Courts, only after the said civil suit has duly terminated with a decision which will permit no further legal recourse operating to vacate the said decision. [As amended November 12, 1908.]

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I. The judgment shall always be so drawn as to affect exclusively private individuals, and shall confine itself to affording them redress in the special case to which the complaint refers; but it shall make no general statement as to the law or the act that may have formed the basis for the complaint.

II. *In civil or penal suits, excepting those mentioned in Clause IX hereof, the writ of "amparo" shall issue only against final judgments when no other ordinary recourse is available by which these judgments may be modified or amended, if the violation of the law shall have occurred in the judgment, or if, although committed during the course of the trial, objection was duly noted and protest entered against the denial of reparation, and provided further that if committed in first instance it shall have been invoked in second instance as a violation of the law.*

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Notwithstanding the foregoing provision, the supreme court may in penal cases waive any defects in the petition when there has been a manifest violation of the law which has left the petitioner without recourse, or when he has been tried by a law not strictly applicable to the case, provided failure to take advantage of this violation has been merely an oversight.

III. In civil or penal suits the writ of "amparo" shall issue only if substantial portions of the rules of procedure have been violated, and provided further that the said violation shall deprive the petitioner of means of defense.

IV. In addition to the case mentioned in the foregoing paragraph, the writ of "amparo" shall issue only on a final judgment in a civil suit,—provided the requirements set forth in Clause II hereof have been complied with,—when the judgment shall be contrary to the letter of the law applicable to the case or contrary to its legal interpretation, when it includes persons, actions, defenses, or things which have not been the object of the suit, or finally when all these have not been included either through omission or express refusal.

When the writ of "amparo" is sought against mesne judgments, in accordance with the provisions of the foregoing clause, these rules shall be observed, as far as applicable.

V. In penal suits, the authorities responsible for the violation shall stay the execution of final judgment against which the writ



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of "amparo" has been sought; for this purpose the petitioner shall, within the period set by law, give notice, under oath, to the said authorities of the interposition of this recourse, accompanying it with two copies of the petition, one of which shall be delivered to the opposing party and the other filed.

VI. The execution of a final judgment in civil suits shall only be stayed when the petitioner shall give bond to cover damages occasioned thereby, unless the other party shall give a counter bond (1) to guarantee that the normal conditions and relations previously existing be restored, and (2) to pay the corresponding damages, in the event of the granting of the "amparo." In such event the interposition of the recourse of "amparo" shall be communicated as provided in the foregoing clause.

VII. If a writ of "amparo" be sought against a final judgment, a certified copy of such portions of the record as the petitioner may desire shall be requested from the authority responsible for the violation; to this there shall be added such portions as the other party may desire and a clear and succinct statement by the said authority of the justification of the act protested; note shall be made of this on the record.

VIII. When a writ of "amparo" is sought against a final judgment, the petition shall be brought before the Supreme Court; this petition, together with the copy required by Clause VII, shall be either presented to the Supreme

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*Court or sent through the authority responsible for the violation or through the District Court of the corresponding State. The Supreme Court shall render judgment without any other formality or procedure than the petition, the document presented by the other party and that of the Attorney General or the Public Attorney he may name in his stead, and shall comprise no other legal question than that contained in the complaint.*

IX. *When the acts of an authority other than the judicial are involved or the acts of the judiciary exercised outside of the suit or after the termination thereof, or acts committed during the suit whose execution is of impossible reparation, or which affect persons not parties to the suit, the writ of "amparo" shall be sought before the District Court within whose jurisdiction is located the place where the act protested was committed or attempted; the procedure in this case shall be confined to the report of the authority and to a hearing, the call for which shall be issued in the same order of the court as that calling for the report. This hearing shall be held at as early a date as possible, the testimony of both parties offered, arguments heard which shall not exceed one hour for each side, and finally the judgment which shall be pronounced at the same hearing. The judgment of the District Court shall be final, if the interested parties do not appeal to the Supreme Court within the period set by law and*

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*in the manner prescribed by Clause VIII.*

*In case of a violation of the guarantees of Articles 16, 19 and 20, recourse shall be had through the appellate court of the court committing the breach or to the corresponding District Court. An appeal against the decision of any of these courts may be taken to the Supreme Court.*

*If the district judge shall not reside in the same locality as the official guilty of the violation, the judge before whom the petition of "amparo" shall be submitted shall be determined by law; this judge shall be authorized to suspend temporarily the execution of the act protested, in accordance with the terms established by law.*

*X. Any official failing to suspend the execution of the act protested, when in duty bound to do so, or when he admits an insufficient or improper bond, shall be turned over to the proper authorities; the civil and penal liability of the official shall in these cases be a joint liability with the person offering the bond and his surety.*

*XI. If after the granting of an "amparo," the guilty official shall persist in the act or acts against which the petition of "amparo" was filed, or shall seek to render of no effect the judgment of the Federal authority, he shall be forthwith removed from office and turned over for trial to the corresponding district court.*

*XII. Wardens and jailers who fail to receive a duly certified copy of the formal order of commitment within the seventy-two hours*

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TITLE IV  
*Of the Responsibility of  
Officials*

Art. 103. Senators, representatives, justices of the supreme court, and secretaries of executive departments shall be liable for the common offenses committed by them during their term of office, and for their crimes, misdemeanors, or omissions in the exercise of their functions. The governors of the States shall also be responsible for the violation of the Federal Constitu-

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granted by Article 19, reckoned from the time the accused is placed at the disposal of the court, shall bring this fact to the attention of the court, immediately upon expiration of this period; and if the proper order be not received within the next three hours the accused shall be set at liberty.

Any official who shall violate this provision and the article referred to in the foregoing paragraph shall be immediately turned over to the proper authorities. Any official or agent thereof who, after an arrest has been made, shall fail to place the accused at the disposition of the court within the next twenty-four hours shall himself be turned over to the proper authority.

If the detention be effected outside the locality in which the court is situated, there shall be added to the period mentioned in the preceding sentence the time necessary to travel from the said locality to that where the detention took place.

TITLE IV

*Of the Responsibility of  
Officials*

Art. 108. Senators and Representatives of Congress, Justices of the Supreme Court, Secretaries of Executive Departments and the Attorney General of the Republic shall be liable for all common offenses committed during their term of office, as well as for all official offenses or acts of commission or omission in which they may incur in the discharge of their duties.

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tion and laws. The President of the Republic shall be likewise responsible; but during his term he can be charged only with treason **express violation of the Constitution, attacks on electoral liberty**, and grave common offenses. [*As amended May 6, 1904.*]

No constitutional privilege shall be extended to any high Federal functionary when tried for official offenses, misdemeanors, or omissions committed by him in the discharge of any public function or commission, during the time in which, according to law, the privilege is enjoyed. This provision shall be applicable to cases of common offenses committed under the same circumstances. In order that the proceedings may be instituted when the functionary returns to the exercise of his own functions, the rules set forth in Article 104 of the Constitution shall be observed.

Art. 104. If the offense belongs to the common order the House of Representatives, acting as a grand jury, shall determine by a majority vote whether there is or is not any ground for proceeding against the accused.

If the finding be favorable to the accused, no further action shall be taken.

If the finding be adverse, the accused shall *ipso facto* be removed from office and be placed at the disposition of the ordinary courts of justice. [*As amended November 13, 1874.*]

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Governors of States and *members of State Legislatures* shall be liable for violation of the Constitution and the Federal Laws.

The President of the Republic may only be impeached during his term of office for high treason and common offenses of a serious character.

[Identical with Art. 110 of 1917.]

Art. 109. If the offense belongs to the common order the House of Representatives, acting as a grand jury, shall determine by a majority vote of *its total membership* whether there is or is not any ground for proceeding against the accused.

If the finding be favorable to the accused, no further action shall be taken; *but such finding shall not be a bar to the prosecution of the charge so soon as the constitutional privilege shall cease, since the finding of the House does not in any way determine the merits of the charge.*

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Art. 105. In cases of impeachment the House of Representatives shall act as a grand jury and the Senate as a tribunal.

The grand jury shall decide by a majority vote if the accused is or is not to be impeached. If the decision is favorable to the accused official, the latter shall continue in the exercise of his functions. If it is adverse, the accused official shall be immediately removed from office and put at the disposal of the Senate. The Senate, acting as a tribunal, shall, upon the proper hearing of the defendant, and also of the plaintiff, if there be any, by a majority vote impose the penalty provided by law. [*As amended November 13, 1874.*]

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If the finding be adverse, the accused shall *ipso facto* be removed from office and be placed at the disposition of the ordinary courts of justice, *except in the case of the President of the Republic, who may only be impeached before the Senate, as in the case of an official offense.*

Art. 111. The Senate acting as a grand jury shall try all cases of impeachment; but it may not institute such proceedings without a previous accusation brought by the House of Representatives.

If the Senate should, after hearing the accused and conducting such proceedings as it may deem advisable, determine by a majority vote of two-thirds of its total membership that the accused is guilty, the latter shall be forthwith removed from office by virtue of such decision, or be disqualified from holding any other office for such time as the law may determine.

When the same offense is punishable with an additional penalty, the accused shall be placed at the disposition of the regular authorities who shall judge and sentence him in accordance with the law.

In all cases embraced by this article and in those included by the preceding both the decisions of the Grand Jury and the findings of the House of Representatives shall be final.

Any person shall have the right to denounce before the House of Representatives offenses of a common order or of

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an official character committed by high Federal functionaries; and whenever the said House of Representatives shall determine that there exist good grounds for impeachment proceedings before the Senate, it shall name a committee from among its own members to sustain the charges brought.

The Congress shall as soon as possible enact a law as to the responsibility of all Federal officials and employees which shall fix as official offenses all acts, of commission or omission, which may prejudice the public interest and efficient administration, even though such acts may not heretofore have been considered offenses. These officials shall be tried by a jury in the same manner as provided for trials by jury in Article 20.

Art. 106. No pardon shall be granted the offender in cases of impeachment.

Art. 107. The responsibility for official breaches and offenses may only be enforced during such time as the functionary shall remain in office and for one year thereafter.

Art. 108. In civil cases no privilege or immunity in favor of any public functionary shall be recognized.

Art. 112. [Identical]

Art. 113. [Identical]

Art. 114. [Identical]

TITLE V

*Of the States of the Federation*

Art. 109. The States shall adopt for their internal government the popular, representa-

TITLE V

*Of the States of the Federation*

Art. 115. The States shall adopt for their internal government the popular, representa-

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tive, republican form of government. The term of office in the case of Governors shall not exceed six years. The prohibitions on the President, Vice President and President ad interim, referred to in Article 78, shall be applicable to State Governors and functionaries acting in their stead. [As amended November 27, 1911.]

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tive, republican form of government; they shall have as the basis of their territorial division and political and administrative organization the free municipality, in accordance with the following provisions:

I. Each municipality shall be administered by a town council chosen by direct vote of the people, and no authority shall intervene between the municipality and the State Government.

II. The municipalities shall freely administer their own revenues which shall be derived from the taxes fixed by the State Legislatures which shall at all times be sufficient to meet their needs.

III. The municipalities shall be regarded as enjoying corporate existence for all legal purposes.

The Federal Executive and the State Governors shall have command over all public forces of the municipalities wherein they may permanently or temporarily reside.

Constitutional State Governors shall not be re-elected, nor shall their term of office exceed four years.

The prohibitions of Article 83 are applicable to substitute or ad interim governors.

The number of Representatives in the State Legislatures shall be in proportion to the inhabitants of each State, but in no case shall the number of representatives in any State Legislature be less than fifteen.

Each electoral district of the States shall choose a Representa-



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Art. 110. The States shall have the power to fix among themselves, by friendly agreements, their respective boundaries; but these agreements shall not be carried into effect without the approval of the Congress.

Art. 111. No State shall—

I. Enter into alliances, treaties or coalitions with another State or with foreign powers. Coalitions between frontier States for offensive or defensive war against savage Indians are excepted.

II. Grant letters of marque or reprisal.

III. Coin money, issue paper money, stamps or stamped paper. [*As amended May 1, 1896.*]

IV. Levy taxes on persons or property passing through its territory. [*As amended May 1, 1896.*]

V. Prohibit or tax, directly or indirectly, the entry into its territory, or the withdrawal therefrom, of any merchandise, foreign or domestic. [*As amended May 1, 1896.*]

VI. Burden the circulation or consumption of domestic or foreign merchandise with taxes or duties to be collected by local custom houses or subject to inspection the said merchandise or require it to be accompanied

*tive and an alternate to the State Legislature.*

*Every State Governor shall be a Mexican citizen by birth and a native thereof, or resident therein not less than five years immediately prior to the day of election.*

Art. 116. [Identical]

Art. 117.

I. Enter into alliances, treaties or coalitions with another State or with foreign powers.

II. [Identical]

III. [Identical]

IV. [Identical]

V. [Identical]

VI. [Identical]

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by documents. [*As amended May 1, 1896.*]

VII. Enact or maintain in force laws or fiscal regulations discriminating, by taxation or otherwise, between merchandise, foreign or domestic, on account of its origin, whether this discrimination be established with regard to similar local products or to similar products of foreign origin. [*As amended May 1, 1896.*]

VIII. Issue bonds of the public debt payable in foreign coin or outside the Federal territory; contract loans, directly or indirectly, with any foreign government, or assume any obligation in favor of any foreign corporation or individual, requiring the issuance of certificates or bonds payable to bearer or negotiable by endorsement. [*As amended December 18, 1901.*]

Art. 112. No State shall, without the consent of the Congress:

I. Establish tonnage dues or other port charges, or impose taxes or other duties upon imports or exports.

II. Keep at any time permanent troops or vessels of war.

III. Make war on its own behalf on any foreign power, except in cases of invasion or of such imminent peril as to admit of no delay. In such event the State shall give notice immediately to the President of the Republic.

VII. [Identical]

VIII. Issue bonds of the public debt payable in foreign coin or outside the Federal territory; contract loans, directly or indirectly, with any foreign government, or assume any obligation in favor of any foreign corporation or individual, requiring the issuance of certificates or bonds payable to bearer or negotiable by endorsement.

*The Federal Congress and the State Legislatures shall forthwith enact laws against alcoholism.*

Art. 118. [Identical, except that heading III is omitted.]

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Art. 113. Every State shall be bound to deliver without delay to the demanding authorities the fugitives from justice from other States or from foreign nations.

Art. 114. The State Governors are bound to publish and enforce the Federal laws.

Art. 115. Full faith and credit shall be given in each State of the Federation to the public acts, records and judicial proceedings of all the other States. The Congress shall by general laws prescribe the manner of proving the said acts, records and proceedings and the effect thereof.

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Art. 119. Every state shall be bound to deliver without delay to the demanding authorities the fugitives from justice from other States or from foreign nations.

*In such cases the writ of the court granting the extradition shall operate as a sufficient warrant for the detention of the accused for one month, in the case of extradition from one State to another, and for two months in the case of international extradition.*

Art. 120. [Identical]

Art. 121. Full faith and credit shall be given in each State of the Federation to the public acts, records and judicial proceedings of all the other States. The Congress shall by general laws prescribe the manner of proving the said acts, records and proceedings and the effect thereof.

I. *The laws of a State shall only be binding within its own confines, and shall therefore have no extra-territorial force.*

II. *Movable and immovable property shall be governed by the lex sitae.*

III. *Judgments of a State court as to property and property rights situated in another State shall only be binding when expressly so provided by the law of the latter State.*

*Judgments relating to personal rights shall only be binding in another State provided the person shall have expressly, or impliedly*

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Art. 116. The Powers of the Union are bound to protect the States against all invasion or external violence. In case of insurrection or internal disturbance they shall give them the same protection, provided the Legislature of the State, or the Executive thereof if the Legislature is not in session, shall so request.

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*by reason of domicile, submitted to the jurisdiction of the court rendering such judgment, and provided further that personal service shall have been secured.*

IV. All acts of civil status performed in accordance with the laws of one State shall be binding in all other States.

V. All professional licenses issued by the authorities of one State in accordance with its laws shall be valid in all other States.

Art. 122. [Identical]

#### TITLE VI

##### *Of Labor and Social Welfare*

Art. 123. *The Congress and the State Legislatures shall make laws relative to labor with due regard for the needs of each region of the Republic, and in conformity with the following principles, and these principles and laws shall govern the labor of skilled and unskilled workmen, employees, domestic servants and artisans, and in general every contract of labor.*

I. *Eight hours shall be the maximum limit of a day's work.*

II. *The maximum limit of night work shall be seven hours. Unhealthy and dangerous occupations are forbidden to all*

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women and to children under sixteen years of age. Night work in factories is likewise forbidden to women and to children under sixteen years of age; nor shall they be employed in commercial establishments after ten o'clock at night.

III. The maximum limit of a day's work for children over twelve and under sixteen years of age shall be six hours. The work of children under twelve years of age shall not be made the subject of a contract.

IV. Every workman shall enjoy at least one day's rest for every six days' work.

V. Women shall not perform any physical work requiring considerable physical effort during the three months immediately preceding parturition; during the month following parturition they shall necessarily enjoy a period of rest and shall receive their salaries or wages in full and retain their employment and the rights they may have acquired under their contracts. During the period of lactation they shall enjoy two extraordinary daily periods of rest of one-half hour each, in order to nurse their children.

VI. The minimum wage to be received by a workman shall be that considered sufficient, according to the conditions prevailing in the respective region of the country, to satisfy the normal needs of the life of the workman, his education and his lawful pleasures, considering him as the head of a family. In all agricultural, commercial, manufacturing or mining

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*enterprises the workmen shall have the right to participate in the profits in the manner fixed in Clause IX of this article.*

*VII. The same compensation shall be paid for the same work, without regard to sex or nationality.*

*VIII. The minimum wage shall be exempt from attachment, set-off or discount.*

*IX. The determination of the minimum wage and of the rate of profit-sharing described in Clause VI shall be made by special commissions to be appointed in each municipality and to be subordinated to the Central Board of Conciliation to be established in each State.*

*X. All wages shall be paid in legal currency and shall not be paid in merchandise, orders, counters or any other representative token with which it is sought to substitute money.*

*XI. When owing to special circumstances it becomes necessary to increase the working hours, there shall be paid as wages for the overtime one hundred per cent more than those fixed for regular time. In no case shall the overtime exceed three hours nor continue for more than three consecutive days; and no women of whatever age nor boys under sixteen years of age may engage in overtime work.*

*XII. In every agricultural, industrial, mining or other class of work employers are bound to furnish their workmen comfortable and sanitary dwelling-places, for which they may charge rents not*

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exceeding one-half of one per cent per month of the assessed value of the properties.<sup>19</sup> They shall likewise establish schools, dispensaries and other services necessary to the community. If the factories are located within inhabited places and more than one hundred persons are employed therein, the first of the above-mentioned conditions shall be complied with.

XIII. Furthermore, there shall be set aside in these labor centers, whenever their population exceeds two hundred inhabitants, a space of land not less than five thousand square meters for the establishment of public markets, and the construction of buildings designed for municipal services and places of amusement. No saloons nor gambling houses shall be permitted in such labor centers.

XIV. Employers shall be liable for labor accidents and occupational diseases arising from work; therefore, employers shall pay the proper indemnity, according to whether death or merely temporary or permanent disability has ensued, in accordance with the provisions of law. This liability shall remain in force even though the employer contract for the work through an agent.

XV. Employers shall be bound to observe in the installation of their establishments all the provisions of law regarding hygiene and sanitation and to adopt adequate measures to prevent accidents due to the use of machinery, tools and working materials, as well as to organize work in such a

<sup>19</sup> See Art. 27, Clause VII, second paragraph of 1917.

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manner as to assure the greatest guarantees possible for the health and lives of workmen compatible with the nature of the work, under penalties which the law shall determine.

XVI. Workmen and employers shall have the right to unite for the defense of their respective interests, by forming syndicates, unions, etc.

XVII. The law shall recognize the right of workmen and employers to strike and to lockout.

XVIII. Strikes shall be lawful when by the employment of peaceful means they shall aim to bring about a balance between the various factors of production, and to harmonize the rights of capital and labor. In the case of public services, the workmen shall be obliged to give notice ten days in advance to the Board of Conciliation and Arbitration of the date set for the suspension of work. Strikes shall only be considered unlawful when the majority of the strikers shall resort to acts of violence against persons or property, or in case of war when the strikers belong to establishments and services dependent on the government. Employees of military manufacturing establishments of the Federal Government shall not be included in the provisions of this clause, inasmuch as they are a dependency of the national army.

XIX. Lockouts shall only be lawful when the excess of production shall render it necessary to shut down in order to maintain prices reasonably above the cost of production, subject to the approval of the Board of Conciliation and Arbitration.



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XX. Differences or disputes between capital and labor shall be submitted for settlement to a board of conciliation and arbitration to consist of an equal number of representatives of the workmen and of the employers and of one representative of the Government.

XXI. If the employer shall refuse to submit his differences to arbitration or to accept the award rendered by the Board, the labor contract shall be considered as terminated, and the employer shall be bound to indemnify the workman by the payment to him of three months' wages, in addition to the liability which he may have incurred by reason of the dispute. If the workman reject the award, the contract will be held to have terminated.

XXII. An employer who discharges a workman without proper cause or for having joined a union or syndicate or for having taken part in a lawful strike shall be bound, at the option of the workman, either to perform the contract or to indemnify him by the payment of three months' wages. He shall incur the same liability if the workman shall leave his service on account of the lack of good faith on the part of the employer or of maltreatment either as to his own person or that of his wife, parents, children or brothers or sisters. The employer cannot evade this liability when the maltreatment is inflicted by subordinates or agents acting with his consent or knowledge.

XXIII. Claims of workmen for salaries or wages accrued during the past year and other in-

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*demnity claims shall be preferred over any other claims, in cases of bankruptcy or composition.*

XXIV. *Debts contracted by workmen in favor of their employers or their employers' associates, subordinates or agents, may only be charged against the workmen themselves and in no case and for no reason collected from the members of his family. Nor shall such debts be paid by the taking of more than the entire wages of the workman for any one month.*

XXV. *No fee shall be charged for finding work for workmen by municipal offices, employment bureaus or other public or private agencies.*

XXVI. *Every contract of labor between a Mexican citizen and a foreign principal shall be legalized before the competent municipal authority and viséed by the consul of the nation to which the workman is undertaking to go, on the understanding that, in addition to the usual clauses, special and clear provisions shall be inserted for the payment by the foreign principal making the contract of the cost to the laborer of repatriation.*

XXVII. *The following stipulations shall be null and void and shall not bind the contracting parties, even though embodied in the contract:*

(a) *Stipulations providing for inhuman day's work on account of its notorious excessiveness, in view of the nature of the work.*

(b) *Stipulations providing for a wage rate which in the judgment of the Board of Conciliation and Arbitration is not remunerative.*

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(c) *Stipulations providing for a term of more than one week before the payment of wages.*

(d) *Stipulations providing for the assigning of places of amusement, eating places, cafes, taverns, saloons or shops for the payment of wages, when employees of such establishments are not involved.*

(e) *Stipulations involving a direct or indirect obligation to purchase articles of consumption in specified shops or places.*

(f) *Stipulations permitting the retention of wages by way of fines.*

(g) *Stipulations constituting a waiver on the part of the workman of the indemnities to which he may become entitled by reason of labor accidents or occupational diseases, damages for breach of contract, or for discharge from work.*

(h) *All other stipulations implying the waiver of any right vested in the workman by labor laws.*

XXVIII. *The law shall decide what property constitutes the family patrimony. These goods shall be inalienable and shall not be mortgaged, nor attached, and may be bequeathed with simplified formalities in the succession proceedings.*

XXIX. *Institutions of popular insurance<sup>20</sup> established for old age, sickness, life, unemployment, acci-*

<sup>20</sup> In the desire to adhere as closely as possible to the original, the term "popular insurance" has been used. It would seem, however, that in making use of the expression "*Seguros Populares*," it was intended to convey the full connotation of the term "Social Insurance." (See "Social Insurance," Seager, 1910.)

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*dent and others of a similar character, are considered of social utility; the Federal and State Governments shall therefore encourage the organization of institutions of this character in order to instill and inculcate popular habits of thrift.*

*XXX. Coöperative associations for the construction of cheap and sanitary dwelling houses for workmen shall likewise be considered of social utility whenever these properties are designed to be acquired in ownership by the workmen within specified periods.*

## TITLE VI

*Of General Provisions*

Art. 117. All powers not expressly vested by this Constitution in the Federal authorities are understood to be reserved to the States.

Art. 118. No person shall hold at the same time two Federal offices or one Federal and one State elective office; if elected to two, he shall choose between them.

Art. 119. No payment shall be made which is not included in the budget or authorized by a law subsequent to the same.

Art. 120. The President of the Republic, the Justices of the Supreme Court, Representatives and other public officials of the Federation who are chosen by popular election shall receive a compensation for their services, which shall be paid by the Federal Treasury and deter-

## TITLE VII

*Of General Provisions*

Art. 124. [Identical]

Art. 125. [Identical]

Art. 126. [Identical]

Art. 127. The President of the Republic, the Justices of the Supreme Court, Representatives and Senators and other public officials of the Federation who are chosen by popular election shall receive a compensation for their services, which shall be paid by the Federal Treasury

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mined by law. This compensation may not be waived, and any law increasing or decreasing it shall have no effect during the period for which the functionary holds office.

Art. 121. Every public official, without exception, shall, before entering on the discharge of his duties, take an oath to maintain this constitution and the laws arising hereunder.

Art. 122. In time of peace no military authorities shall exercise other functions than those bearing direct relation to military discipline. No permanent military posts shall be established other than in castles, forts and arsenals depending directly upon the Federal Government, or in camps, barracks, or depots, established outside of inhabited places for the stationing of troops.

Art. 123. The Federal authorities shall have exclusive power to exercise, in matters of religious worship and outward ecclesiastic forms, such intervention as by law authorized.

Article 1. The church and the state are independent of each other. Congress shall not enact laws establishing or forbidding any religion.

Art. 2. Marriage is a civil contract. Marriage and all other acts relating to the civil status of persons shall appertain to the exclusive jurisdiction of the civil authorities in the manner and form provided by law,

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and determined by law. This compensation may not be waived, and any law increasing or decreasing it shall have no effect during the period for which the functionary holds office.

Art. 128. Every public official, without exception, shall, before entering on the discharge of his duties, make an *affirmation* to maintain this constitution and the laws arising thereunder.

Art. 129. [Identical]

Art. 130. The Federal authorities shall have power to exercise in matters of religious worship and outward ecclesiastical forms such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities.

The Congress shall not enact any law establishing or forbidding any religion whatsoever.

Marriage is a civil contract. Marriage and all other acts relating to the civil status of individuals shall appertain to the exclusive jurisdiction of the civil authorities in the manner and form by law provided, and they

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and they shall have the force and validity given to them by said laws.

Art. 3. No religious institutions shall acquire real estate or capital secured by mortgage on the same, except only in the case set forth in article 27 of the Constitution.

Art. 4. A simple promise to tell the truth and to comply with obligations entered into, shall take the place of the religious oath with all its effects and penalties. [Articles 1-4 are amendments of September 25, 1873.]

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shall have the force and validity given them by said laws.

A simple promise to tell the truth and to comply with obligations contracted shall subject the promisor, in the event of a breach, to the penalties established therefor by law.

*The law recognizes no juridical personality in the religious institutions known as churches.*

*Ministers of religious creeds shall be considered as persons exercising a profession, and shall be directly subject to the laws enacted on the matter.*

*The State legislatures shall have the exclusive power of determining the maximum number of ministers of religious creeds, according to the needs of each locality. Only a Mexican by birth may be a minister of any religious creed in Mexico.*

*No ministers of religious creeds shall, either in public or private meetings, or in acts of worship or religious propaganda, criticise the fundamental laws of the country, the authorities in particular or the Government in general; they shall have no vote, nor be eligible to office, nor shall they be entitled to assemble for political purposes.*

*Before dedicating new temples of worship for public use, permission shall be obtained from the Department of the Interior (Gobernacion); the opinion of the Governor of the respective State shall be previously heard on the subject. Every place of worship shall have a person charged with its care and maintenance, who shall be legally responsible for*

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*the faithful performance of the laws on religious observances within the said place of worship, and for all the objects used for purposes of worship.*

*The caretaker of each place of public worship, together with ten citizens of the place, shall promptly advise the municipal authorities as to the person charged with the care of the said place of worship. The outgoing minister shall in every instance give notice of any change, for which purpose he shall be accompanied by the incoming minister and ten other citizens of the place. The municipal authorities, under penalty of dismissal and fine, not exceeding 1,000 pesos for each breach, shall be responsible for the exact performance of this provision; they shall keep a register of the places of worship and another of the caretakers thereof, subject to the same penalty as above provided. The municipal authorities shall likewise give notice to the Department of the Interior through the State Governor, of any permission to open to the public use a new place of worship, as well as of any change in the caretakers. Gifts of personalty may be received in the interior of places of public worship.*

*Under no conditions shall studies carried on in institutions devoted to the professional training of ministers of religious creeds be given credit or granted any other dispensation of privilege which shall have for its purpose the accrediting of the said studies in official institutions. Any au-*

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thority violating this provision shall be punished criminally, and all such dispensation of privilege be null and void, and shall invalidate wholly and entirely the professional degree toward the obtaining of which the infraction of this provision may in any way have contributed.

No periodical publication which either by reason of its program, its title or merely by its general tendencies, is of a religious character, shall comment upon any political affairs of the nation, nor publish any information regarding the acts of the authorities of the country or of private individuals, in so far as the latter have to do with public affairs.

Every kind of political association whose name shall bear any word or any indication relating to any religious belief is hereby strictly forbidden. No assemblies of any political character shall be held within places of public worship.

No minister of any religious creed may inherit, either on his own behalf or by means of a trustee or otherwise, any real property occupied by any association of religious propaganda or religious or charitable purposes. Ministers of religious creeds are incapable legally of inheriting by will from ministers of the same religious creed or from any private individual to whom they are not related by blood within the fourth degree.

All real and personal property pertaining to the clergy or to religious institutions shall be governed, in so far as their acquisition by private parties is concerned, in



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Art. 124. The Federal Government shall have exclusive power to levy duties on merchandise imported, exported or passing in transit through the national territory, as well as to regulate at all times, and if necessary to forbid for the sake of public safety or for police reasons, the circulation in the interior of the Republic of all kinds of goods, regardless of their origin; but the Federal Government shall have no power to establish or decree in the Federal District and Territories the taxes and laws to which Clauses VI and VII of Article iii refer. [*As amended May 1, 1896.*]

Art. 125. All forts, barracks, warehouses, and other real property, destined by the Federal Government for public service or common use, shall be under the jurisdiction of the Federal authorities, in accordance with the law which the Congress shall issue on the subject; any of these establishments which may subsequently be acquired within the territory of any State shall likewise be subject to Federal jurisdiction, provided consent thereto shall have been obtained from the respective State legislature. [*As amended October 31, 1901.*]

Art. 126. This Constitution and the laws of the United

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*conformity with Article 27 of this Constitution.*

*No trial by jury shall ever be granted for the infraction of any of the preceding provisions.*

Art 131. [Identical, with exception of the references which in the 1917 text are to "Clauses VI and VII of Art. 117."]

Art. 132. [Identical]

Art. 133. [Identical]

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States of Mexico which shall be made in pursuance hereof and all treaties made or which shall be made under the authority of the President of the Republic, with the approval of the Congress, shall be the supreme law of the land. And the judges in every State shall be bound by this Constitution and by these laws and treaties, anything in the Constitution or laws of any State to the contrary notwithstanding.

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Art. 134. *Bids shall be called for on all contracts which the Government may have occasion to enter into for the execution of any public works; these bids shall be submitted under seal and shall only be opened publicly.*

## TITLE VII

*Of the Amendments to the Constitution*

Art. 127. The present Constitution may be added to or amended. No amendment or addition shall become part of the Constitution until agreed to by the Congress of the Union by a two-thirds vote of the members present and approved by a majority of the State legislatures. The Congress shall count the votes of the legislatures and make the declaration that the amendments or additions have been adopted.

## TITLE VIII

*Of the Amendments to the Constitution*

Art. 135. [Identical]

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TITLE VIII

*Of the Inviolability of the Constitution*

Art. 128. This Constitution shall not lose its force and vigor, even though its observance be interrupted by rebellion. In case that through any public disturbance a Government contrary to the principles which it sanctions be established, its force shall be restored so soon as the people shall regain their liberty, and those who have participated in the Government emanating from the rebellion or have cooperated with it shall be tried in accordance with its provisions and with the laws arising under it.

TRANSITORY ARTICLE

The present Constitution shall be published at once and sworn to with the greatest solemnity throughout the whole Republic; but its provisions, except those relating to the election of the supreme powers, Federal and State, shall not go into effect until the sixteenth of September next, when the First Congress, under the Constitution, shall meet. On and after that date the President of the Republic and the justices of the supreme court, who shall continue in the exercise of their functions until their successors are constitutionally elected and enter into the discharge of their duties, shall act in strict accordance with the provisions of this Constitution.

TITLE IX

*Of the Inviolability of the Constitution*

Art. 136. [Identical]

TRANSITORY ARTICLES

Article 1. This Constitution shall be published at once and a solemn affirmation made to defend and enforce it throughout the Republic; but its provisions, except those relating to the election of the supreme powers, Federal and State, shall not go into effect *until the first day of May, 1917, at which time the Constitutional Congress shall be solemnly convened and the oath of office taken by the citizen chosen at the forthcoming elections to discharge the duties of President of the Republic.*

*The provisions of Clause V of Article 82 shall not be applicable in the elections to be called in accordance with Article 2 of the Transitory Articles, nor shall active service in the army act as a*

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Given at the Hall of sessions of Congress in the City of Mexico on the fifth of February, eighteen hundred and fifty-seven, the thirty-seventh of the Independence.

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*disqualification for the office of representative or senator, provided the candidate shall not have active command of troops in the respective electoral district.*

*Nor shall the secretaries nor assistant secretaries of executive departments be disqualified from election to the next Federal Congress, provided they shall definitively resign from office on or before the day on which the respective call is issued.*

Art. 2. *The person charged with the executive power of the Nation shall immediately, upon the publication of this Constitution, call for elections to fill the Federal offices; he shall see that these elections be held so that Congress may be constituted within a reasonable time, in order that it may count the votes cast in the presidential elections and make known the name of the person who has been elected President of the Republic; this shall be done in order that the provisions of the foregoing article may be complied with.*

Art. 3. *The next constitutional term shall be computed, in the case of Senators and Representatives, from the first of September last, and in the case of the President of the Republic, from the first of December, 1916.*

Art. 4. *Senators who in the coming election shall be classified as "even" shall serve only two years, in order that the Senate may be renewed by half every two years.*

Art. 5. *The Congress shall in the month of May next choose the Justices of the Supreme Court in*

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order that this tribunal may be constituted on the first day of June, 1917.

In these elections, Article 96 shall not govern in so far as the candidates proposed by the State Legislatures are concerned; but those chosen shall be designated for the first term of two years prescribed by Article 94.

Art. 6. The Congress shall meet in extraordinary session on the fifteenth day of April, 1917, to act as an electoral college, for the computing of the ballots and the determination of the election of President of the Republic, at which time it shall make known the results; it shall likewise enact the organic law of the Circuit and District Courts, the organic law of the Tribunals of the Federal District and Territories, in order that the Supreme Court of Justice may immediately appoint the Inferior and Superior District and Circuit Judges; at the same session the Congress shall choose the Superior Judges and Judges of First Instance of the Federal District and Territories, and shall also enact all laws submitted by the Executive. The Circuit and District Judges and the Superior and Inferior Judges of the Federal District and Territories shall take office not later than the first day of July, 1917, at which time such as shall have been temporarily appointed by the person now charged with the executive power of the nation shall cease to act.

Art. 7. For this occasion only, the votes for the office of Senator shall be counted by the Board of the First Electoral District of each

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*State or of the Federal District which shall be instituted for the counting of the votes of Representatives. This Board shall issue the respective credentials to the Senators-elect.*

*Art. 8. The Supreme Court shall decide all pending petitions of "amparo," in accordance with the laws at present in force.*

*Art. 9. The First Chief of the Constitutionalist Army, charged with the executive power of the Nation, is hereby authorized to issue the electoral law according to which, on this occasion, the elections to fill the various Federal offices shall be held.*

*Art. 10. All persons who shall have taken part in the Government emanating from the rebellion against the legitimate government of the Republic, or who may have given aid to the said rebellion and later taken up arms or held any office or commission of the factions which have opposed the constitutionalist government, shall be tried in accordance with the laws at present in force, unless they shall have been previously pardoned by the said constitutionalist government.*

*Art. 11. Until such time as the Congress of the Union and the State Legislatures shall legislate on the agrarian and labor problems, the bases established by this Constitution for the said laws shall be put into force throughout the Republic.*

*Art. 12. All Mexicans who shall have fought in the ranks of the constitutionalist army and their children and widows and all other persons who shall have*

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rendered service to the cause of the revolution, or to public instruction, shall be preferred in the acquisition of lots to which Article 27 refers, and shall be entitled to such rebates as the law shall determine.

Art. 13. All debts contracted by working men on account of work up to the date of this Constitution with masters, their subordinates and agents, are hereby declared wholly and entirely discharged.

Art. 14. The Departments of Justice and of Public Instruction and Fine Arts are hereby abolished.

Art. 15. The citizen at present charged with the executive power is hereby authorized to issue the law of civil responsibility applicable to all promoters, accomplices and abettors of the offenses committed against the constitutional order in the month of February, 1913, and against the Constitutionalist Government.

Art. 16. The Constitutional Congress in the regular period of sessions, to begin on the first day of September of the present year, shall issue all the organic laws of the Constitution which may not have been already issued in the extraordinary session to which Transitory Article number 6 refers; and it shall give preference to the laws relating to personal guarantees and to Articles 30, 32, 33, 35, 36, 38, 107 and the latter part of Article 111 of this Constitution.

*Signed at Querétaro de Arteaga, January 31, 1917.*

## NOTES

*Art. 3, Line 2—secular.* It should be noted in this connection that public instruction imparted in the public schools of Mexico for the past thirty years has been largely dominated by the positivist theories of Auguste Comte, as applied by Dr. Gabino Barrera, a noted Mexican educator.

*Art. 3, Line 2—primary.* The educational system in Mexico is patterned in the main after the French. There are, accordingly, no high schools as these exist in the United States. Primary instruction is regulated by the federal government in the federal district and territories and by the states, and is generally subdivided into lower ("elemental") covering four years and higher ("superior"), comprising the fifth and sixth years. From here pupils graduate to the "Escuela Nacional Preparatoria"—an institution whose curriculum embraces high school and collegiate studies as given in the United States—prior to entering the professional schools of law, medicine, engineering, etc.

*Art. 21, Line 4 and Art. 73, VI, 5—Public Attorney "Ministerio Público."* As it exists today, this institution dates back to the fourteenth century. Its duty is to see that the law is carried out, and it is, theoretically at least, independent of the judiciary. An important characteristic is that it does not require, as in the common law, any indictment or complaint before acting. Its most important function is in criminal cases where it is bound to prosecute all criminal offences, excepting only certain offences of a personal nature, such as slander, adultery, etc. In civil suits, its powers are more restricted and discretionary, although it is called upon to intervene in cases involving status, minors, bankruptcies, etc. In a word, it represents society.

*Art. 24, Line 7—discharging in one instance.* This ancient practice differed from the Scottish verdict of "not proven," where only moral stigma attached, in that a reasonable presumption of guilt in first instance rendered the accused liable to a second trial if further evidence developed later.

*Art. 27, Line 6—Public Utility.* While the term "public utility" may be somewhat misleading, it is felt that "public use" may be even more so. The same expression ("*Por causa de utilidad pública*") is to be found in the 1857 Constitution, and has always been interpreted by the courts of Mexico in the sense of public interest, as in the case of land expropriated for the surface work of a mine, etc.

Owing to the importance that may attach to the changes made in the 1917 text, the original Spanish in each case is given:

"Art. 27. *La propiedad de las personas no puede ser ocupada sin su consentimiento, sino por causa de utilidad pública y previa indemnización*" (1857).

"Art. 27. *Esta (la propiedad privada) no podrá ser expropiada sino por causa de utilidad pública y mediante indemnización*" (1917).

*Art. 27, Line 28—Decree of January 6, 1915.* This decree, promulgated by Carranza under this date, declares null and void all alienations of lands, waters and forests made by the Mexican government or any inferior authorities thereof after December 1, 1876 which shall have illegally comprised properties formerly belonging to, or occupied by, Indian communal settlements. The decree further grants these settlements the right to demand the restoration of these properties, and provides that the case be heard before the agrarian commissions or other administrative authorities, without any judicial recourse whatsoever, except only to demand the payment of an indemnity, in case the decision ordering such restoration be later invalidated by the courts.

*Art. 27, I, Line 13—Zone.* The principle restricting the right of foreigners to acquire real property within certain zones dates back many years and has found expression in several legislative enactments, among others the Mining Law of which went into effect on January 1, 1910. The text of the 1917 Constitution broadens considerably the scope of these limitations. The general rule hitherto obtaining in Mexico had been that foreigners might acquire real property within the prohibited zones on obtaining special permission from the executive; but the new constitutional provision establishes a principle of absolute prohibition.



*Art. 27, III, Line 11—dependents.* The word in the original ("*asimilados*") would certainly cover the English term *tertiaries*, or members of the third or worldly orders, Franciscan, Dominican, etc.; but it is apparently sufficiently sweeping to embrace societies of the laity not necessarily bound by religious vows, as for instance, the Knights of Columbus in the United States, and even persons serving in any religious ceremony, such as *acolytes*, etc.

*Art. 27, VII, Line 38—Law of June 25, 1856.* This measure is known as the "disamortization law." It provided for the taking of the numerous real properties (landed estates, buildings, etc.) belonging to convents and other religious communities, Indian settlements, etc., and their disposition among private individuals. This was effected in various ways, as for example by adjudicating these properties among the tenants, who were, however, held to acknowledge an indebtedness for their value and to pay the prior owner an annual interest, with the right of redemption. In the absence of a tenant, the properties were auctioned and the purchaser assumed an obligation in favor of the owner, as in the preceding case. The law in question contained many other provisions, but these suffice to show the important place it occupies in the law of real property in Mexico.

*Art. 27, VII (f).* Although this section embodies principles very similar to the "homestead" laws, it has not been deemed advisable to use this expression. The juridical conception of the "homestead" has no exact replica in the civil law, while the analogous term "*patrimonium*" embraces more than the common law "homestead."

*Art. 27, VII, Line 6—1876.* This year marks the beginning of the first presidential term of General Porfirio Díaz, which brought the first large influx of foreign capital.

*Art. 33 of 1917.* This wording follows the underlying principles of the 1857 Constitution, with the important change of the class of aliens affected. By the 1857 Constitution expulsion was possible only in the case of "undesirable" ("*perniciosos*") aliens, while the 1917 text makes the provision applicable to any alien whose presence the executive may deem "inexpedient" ("*inconveniente*").

*Art. 72, XXIV—Office of the Comptroller of the Treasury.* The "Contaduría Mayor," established by the act of June 6, 1904, is a bureau directly dependent upon the House of Representatives. Its purpose is to examine and audit the accounts submitted by the Treasurer of the Nation. The office extends its audit even to the acts of secretaries of executive departments, in matters pertaining to the expenditure of public funds. If it is proved that the expenditure was authorized and legally made, the "Contaduría Mayor" releases the official from all liability thereunder; if not, it is incumbent upon it to advise the proper functionary so that the corresponding liability may be exacted. The House of Representatives finally passes upon all governmental expenditures, on the basis of the report submitted by the "Contaduría Mayor."

*Art. 107—Amparo.* This unique feature of Mexican jurisprudence combines the essential elements of the extraordinary writs of *habeas corpus*, *certiorari* and *mandamus*. It is a federal procedure designed to give immediate redress when any of the fundamental rights of man are infringed by any authority, irrespective of category, or to excuse the obedience of a law or decree which has invaded the federal or local sphere. Its use is most extensive, embracing minors, persons absent abroad acting through a "next friend," corporations, etc. An important feature is that it merely gives redress to a *specific* person or entity, and never makes any general statement of law. It could, hence, never declare a law unconstitutional, though it would give immediate relief, so soon as the law in question acted upon any person.

*Art. 130—Interior.* Although the term "Gobernación" is correctly translated by "Interior," it should be noted that the jurisdiction of these executive departments in Mexico and the United States is wholly different. To "Gobernación" pertain all matters of relationship between the federal and state governments, elections, etc.

**Art. 130.** The "*Leyes de Reforma*" constitute a group of organic laws which, as their name indicates, aimed to bring about certain social reforms, foremost among which was the complete separation of church and state. They represent the outgrowth of that movement, one of whose chief manifestations was the Constitution of 1857, although not incorporated in that document. The most important and radical provisions of these laws were enacted in 1859 while the Liberal Government was established at Vera Cruz. They were consolidated into a single law enacted during the presidency of Sebastian Lerdo de Tejada, under date of December 14, 1874. Its provisions form the basis of articles 3, 5, portions of 27, and Art. 130 of the Constitution of 1917, but many sweeping innovations have been introduced.





# MODERN INSURANCE PROBLEMS

THE ANNALS for March, 1917

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*The Indicator*, March, 29, 1917.

## THE PURPOSES AND IDEALS OF THE MEXICAN REVOLUTION

Supplement to the January, 1917, issue  
of THE ANNALS

(Addresses delivered at a joint session of the American  
Academy of Political and Social Science and the  
Pennsylvania Arbitration and Peace Society,  
held on November 10, 1916)

Addresses by:

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HON. YGNACIO BONILLAS, *Ambassador of Mexico to the  
United States*

HON. ALBERTO J. PANI, *Minister of Finance*

HON. JUAN R. ROJO, *Counselor of the Mexican Ministry of  
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